

JOURNAL
OF THE
Commons House of Assembly
OF
South Carolina

October 22, 1707—February 12, 1707/8

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Oct. 1707/
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South Carolina

October 22, 1707—February 12, 1707 / 8

Edited by

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Secretary of the Historical Commission of South Carolina

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October. 22^d. 1707.

The following Members mett according to Prorogation

Landgr ^r Tho: Smith	Mr Rob ^t : ffenwick
Landgr ^r : Jos: Morton	Mr W ^m Bull
Coll Geo: Logan—	Mr Jo ⁱ . Abra' Motte
W ^m Smith Esq ^r .	Mr. Geo: Chickin
Mr W ^m Gibbon-	Mr W ^m : Elliott
Cap ^t Geo: Smith	Mr John Woodward
Cap ^t Edw ^d . Loughton	Mr. Tho: Jones
Cap ^t Jonathan Drake	Mr Jo ⁱ Stroud
Cap ^t . Christop ^r . Wilkinson	Rich ^d . Berrisford Esq ^r
Cap ^t Hugh Grange	Mr John Raven
Cap ^t David Davis	Mr John Ash
Cap ^t James Moore	Mr James Cochran—

Motion being made that the House would make Choice of a Speak^r. the former Speaker¹ being gone off the Countrey And the Question being put whether Landgr^r Thomas Smith Esq^r Shall be Speak^r.

Carried in the Affirmative

who accordingly Assum'd the Chair.—

Order'd

That the whole House attend on the Govern^r & Council to present the Speak^r./

The House being Return'd Mr Speak^r Infform'd the House that the Govern^r said he was affronted by the by the Informac'on given to the House relateing to Coll- Logan by Mr Weekly and that for 'Dr Marstons Affront to him in his Saucy Lett^r. the House would have given him an order for 150[£]. And that Severall of the Grand Jury not appearing was the Occasion of their not being any Sessions,

Order'd

That Notice be given to those persons to whome the Countrey is in Debt to that they bring in the Same to the Clerke of this House Sometime before Wensday next in order that they may be laid before this House./

¹William Rhett, who was elected March 6, 1705/6. (*Journal*, March 6, 1705/6—April 9, 1706, p. 5.) Col. Rhett was evidently only temporarily away, as the rest of his life was spent in South Carolina.

Order'd

That the Publick Receiv^r. the Commissio^r. and Comptrol^r. of the ffortificac'ons lay their Acco^{ts}: before this House to morrow morning.

Order'd

That Coll- Rhett's Acco^{ts}: be laid before the House to morrow morning/

Capt^t Wilkinson being Sick praid leave to depart the Service of this House for the Recovery of his health.

Order'd

That Capt^t Wilkinson have leave to depart the Service of this House for the Recovery of his health./

Mr^r Speak^r by Consent of the House adjourn'd the House till to Morrow Morning Eight a Clock./

Thursday Octo^r: the 23^d: 1707

The House mett according to Adjournment./

Capt^t Geo: Smith Publick Receiv^r. according to yeasterdays order brought in his Acco^{ts}:

Order'd

That they lie upon the Table

Capt. Tho: Walker Commissio^r of the ffortifications & Mr- Patrick Martin Comptrol^r. according to Yeasterday order brought in their Acco^{ts}:

Order'd

That they lie upon the Table

Upon Reading a Letter from Thomas Welch relateing to the Indian Affair./

Order'd

That Thomas Welch Indian Trader be Sent for by the Messenger attending this House, and bring with him the Chickasau Gen^l: to Informe the House of Some matters relateing to the Indians, and that he have the protection of this House Comeing and goeing against all Arrests Except for breach of the peace, and that Mr^r Speak^r Sign this Order./

Order'd

That the Rules of the House be read, w^{ch} was done accordingly—
Order'd

That Mr^r Rob^t: ffenwick and Capt^t David Davis wait wait on the Govern^r and Councill and Informe them that this House is

proceeding on the publick Affairs, who being return'd Inform'd the House that the Govern^r told them he was glad of it, and that he would concurr with this House in all things for the good of the Publick

Order'd

That a Committee be appointed to Examine & State all Publick Acco^{ts}. and that M^r John Abra: Motte Coll. Geo: Logan M^r. Rich^d. Berrisford & Cap^t David Davis or any three of them be a Committee accordingly and Report their Opinion thereof to this House on Tuesday next and that they Send for persons papers and Records M^r John Abra^s Motte praid leave to bring in a Bill Entituled an Additionall Bill to an Act for the makeing and mending Highways &c^a.

Order'd

That M^r John Abra^s Motte have leave to bring in the Said Bill./

Coll- Rhett's Acco^{ts}: according to Yeasterdays Order was brought in./

Order'd

That they lie upon the Table./

Motion being made by M^r John Stanyarne that bridges might be made over S^t Johns Island and upon debateing the Same, The Question was put whether this House is of Opinion that Moneys ought to be drawne out of the publick to help build bridges./

Carried in the Negative./—

The House adjourn'd till two a Clock in y^e affternoon

The House mett according to Adjournm^t.

Motion being made that M^r John Wilkins absenting himself from the Service of this House be Sent for.

Order'd

That M^r John Wilkins be Sent for by the Messinger attending this House./

M^r John Abra^s: Motte according to order brought in a Bill Entituled an Additionall Bill to an Act for the makeing and Mending of Roads &c^a. which was Read

Order'd

That the said Bill be recom[']itted for amendm^{ts}. to M^r John Stroud and M^r Rob^t: ffenwick and that they bring in the Same Again to morrow in the Afternoon./

Order'd

That the Powder Receiv^r. lay his Acco^{ts}: before this House to morrow morning—

Upon Motion Order'd

That the Lookouts upon M^r Jones Island be placed on North Edisto's Rivers mouth

Order'd

That a Committee be appointed to view what Store of Store of powder and Ammunition there is of the publicks and in what Condi^con the Same is and that M^r W^m Smith M^r William Gibbon & M^r John Woodward be a Committee accordingly and Report the Same to this House to morrow morning./—

Order'd

That a Committee be appointed to bring in an Additionall Bill for appointing lookouts and that M^r John Ash m^r James Cochran & Cap^t Geo: Smith be a Committee accordingly and bring in the Same on Wensday morning/

Order'd

That a Committee be appointed to prepare and bring in a Bill for the Encouragem^t. of Shipping at the rate of five Shill 7^d Ton and that M^r W^m Bull M^r W^m— Gibbon and Cap^t Edward Loughton be a Committee accordingly and bring in the Same on Monday next.—

Motion being made that Some Duty of goods be taken of and after Some Debate the ffollowing question was put Whether any Duty upon goods Shall be taken of or not

Carried in the Negative—

The House Adjourn'd till to morrow morning Eight a Clock

ffriday Octo^r: 24th. 1707/—

The House mett according to Adjournment—

The Comⁱttee to whome the Additionall Bill to an Act for the makeing & mending of Roads &c^a was Recomⁱtted to for Amendm^{ts}, according to Ord^r: brought in the Said Bill, which was Read the first time & past w^h Amendm^{ts}

Order'd

That M^r Rob^t: ffenwick & M^r John Stroud Carry the above Bill to the Govern^r & Councill—

The Committee to whome it was Refferr'd to view what Store of powder and other Amunition there was in the forts, and in what order they are in according to Order made the following Report. Viz^t.—

19., barr^{lls}: & 1½ of powder

220^{lb} in great Gun Cartridges

55^{lb} in one Boudge Barr^{ll}:

28^{lb} Ditto in a Ditto—

45^{lb} in Curtoch Boxes.—

20^{lb} D^o in a large barr^{ll}:—

In all 2318^{lb}., in the forts—

Great Shott enough.—

53., Ram'ers for y^e great Guns in Granvilles fort

14., D^o: in the half moon

7., Worms and brass ladels

Linstocks Sufficient—

5 new boudge Barr^{lls}:

6., Iron Crows

powder horns enough—

800., Great Gun Cartridges—

19 hand Spikes & 204^{lb}., of match—

Capt Tho: Walker powder Receiv^r. according to Order brought in his Acco^{ts}.—

Order'd

That they lie upon the Table—

Motion being made that the Countreys gallys be repair'd and upon debateing the Same.—

Order'd

That Capt Thomas Walker take into his Charge & care the Great Gally & the Countrey boat wth their furniture and Repair them—

Order'd

That Capt Tho: Walker build a Shedd for the preserveing and keeping the said Gally & boat from the Weather and Chain them to a post—

Order'd

That the Countreys Gally's to y^e Southward be repair'd

Order'd

That the Small Gally be keep at James Island under the Care of Capt Jonathan Drake—

Order'd

That the following Message be Sent to the Govern^r & Council. Viz^t—

May it please yo^r Hon^{rs}. /—

This House being inform'd that the Countreys boat and Galleys, being very much out of Repair, whereby they are made useless for the Countreys Service, Do think it Convenient to have them repair'd and flitted up with the furniture of each respective Galleys & y^e boat, to be kept at the Severall places & under the Constody and Care of the persons hereafter menc'oned Viz^t. two to the Southward wth Cap^t. Eves & Cap^t Page, one to be at James Island with Cap^t Drake the other Gally and boat to be in Town under the care of Cap^t Walker, which we believe will be more Effectually taken care of then heretofore, and desire yo^r Hon^{rs} Concurrence to the Same./

Tho: Smith Speak^r—

Motion being made by M^r Rob^t: ffenwick that a Bill might be brought in to prevent Negroes Working or Caballing on the Sabbath day—

Order'd

That a Committee be appointed to prepare and bring in a Bill accordingly on Monday next and that W^m Smith Esq^r M^r Hugh Grange & M^r Rob^t: ffenwick be a Committee accordingly

A Message from the Govern^r & Council by Cap^t Evans with a Bill for makeing a ferry &c^a. & Sundry petitions—

Order'd

That they lie upon the Table—

The House Adjourn'd till two a Clock in the Afternoon—

The House meet according to Adjournm^t—

Order'd

That all Members Attend the Service of the House imediately—

The House being Inform'd by M^r John Stanyarne a Member of this House that Coll James Risbee had reflected very much on the Hon^r of this House Calling them a parcell of unmanerly fellows. & bid him Informe the House of it, and if he was Sent for he would Justify the Same—

and upon debating the Matter the Question was put whether the Govern^r Should be Address'd immediately relateing to y^e affront

Carried in the Affirmative.

Order'd

That an Address be drawne up & presented to the Govern^r. and Councill relateing to the said Affront & that Coll Geo: Logan M^r John Stroud & M^r Rob^t: ffenwick be a Committee to prepare & draw up an Address accordingly—

M^r Rob^t: ffenwick one of the Committee to whome it was refferr'd to draw up the Said Address according to Ord^r: brought in the Same w^{ch} was Read & agreed to. Viz^t.

May it please your Hon^{rs}.

Wee (at the opening of this Sessions) did assure our Selves of an amicable proceeding in the Affairs of this province from your Hon^{rs} Speech, and we are not Conscious to our Selves of makeing one Step whereby any division or misunderstanding might be Created between us.

But may it please your Hon^{rs}, we are Surprized to hear by Severall of our Members that Coll James Risbee one of your Hon^{rs} Councill, did in a publick house use Severall Scandelous and reflecting Expressions against the Hon^r of this House, and bid the said Members to tell the House, that wee the House of Com^{ons} were a parcell of unmannerly ffellows and that if he was Sent for he would Justify the Same to our Faces, and further that a Justice of the peace had as much power as the House of Com^{ons}. We therefore request yo^r Hon^{rs}. to Examine into this matter, and to do Justice to us the Representatives of the people, for if we are thus Insulted and abuse'd in our publick Capascity, Especially by a Member of the Councill, others will Attempt the like, w^{ch} will be a manifest Violation of our priviledges derogatory to the Hon^r of all Assemblies, and a great discouragem^t. to any to Serve in our publick Capascity—

Tho: Smith Speak^r—

Orderd

That Capt David Davis and Capt James Moore carry the said Addresses to the Govern^r & Councill.—

The House Adjourn'd till to morrow morning Eight a Clock—

Saturday Octor the 25th: 1707/

The House mett according to Adjournm^t—

Read the petition of Rob^t: Hix Virginia Indian Trader

Resolved

That the matters contained in the said petition does not lie before this House—

Order'd

That William Smith Esq^r take the Examinac'on of Geo: Sheil on Oath relateing to James Child & that M^r Rich^d. Berrisford be by—

Upon Reading the petition of Henry Gerard Minister praying Some releive from this House, he being very poor & haveing receiv'd great losses. & upon debating the same—

Resolv'd

That the Sume of twenty pounds be given him out of the Publick as a Deed of Charity, and that an order be drawne accordingly—

Order'd

That Lawrence Richardson who brought down James Child have the protection of this House from all Arests Except for breach of the peace dureing his returne again to the Agent—
The House Adjourn'd till Monday two a Clock—

Monday Octo^r: 27th: 1707/

The House mett according to Adjournm^t.—

The Committee to whome it was refferr'd to prepare and bring in a Bill for preventing Negroes Caballing together on the Sabbath day praid leave till Wensday Next to bring in the Said Bill—

Order'd

That the said Committee have leave till Wensday to bring in the said Bill—

The Committee to whome the Bill to promote the Encouragem^t of Building Shipping praid leave till Wensday next to bring in the Said Bill—

Order'd

That the said Comⁱtee have leave till Wensday next to bring in the said Bill—

The House being inform'd that Cap^t Dalton who came from St Thomas had been inform'd of Some design of the french against this province—

Order'd

That the said Dalton be Sent for who appearing & being examined by M^r Speak^r. relateing to the said matter Inform'd the House that M^r Seruier Smith of St Thomas Inform'd him

he had Informac'on of a design the french had agst— this place if the Warr continued, the designing to make the Indians towards Mobile their friends and by that means to Surprize us by comeing on our backs, and to have Some Vessells to come on the front—

Upon Reading the Petition of Cap^t. Abra: Eve relateing to his land being made a high way by Coll- Rhetts order
Order'd

That M^r John Abra': Motte and Cap^t Drake wait on the Govern^r & Councill wth Cap^t Eves petition for their considerac'on and opinions in this matter, and know of his Hon^r. whether Coll- Rhett had any ord^r. from his Hon^r— for his so doeing—
Cap^t Smith Publick Receiv^r. and M^r John Barnwell Comptrol^l: Complaineing that Coll- Rhett had goods from England, w^{ch} he had leave to land, promiseing to have the Same valued and Enter them but hath not done the Same as also Some pork in Cap^t Saltus from Ronoque—

Order'd

That Coll- Rhett make an Entry of what goods was Imported in the Gray hound Gally Cap^t flavell Comand^r. and a parcell of pork in Cap^t Saltus with the Comptrol^r: to morrow morning and that the Messinger acquaint him of this Ord^r:—

A Message from the Govern^r and Councill by Cap^t Geo: Evans as followeth Viz^t. /

Gentlemen/

There's nothing that can give an Interruption to publick affairs, or disturb that good Agreem^t. that ought to be between us, but that we Share therein wth Infinite concern

And therefore we have carefully Enquir'd into the Nature of the Complaint laid against Coll- Risbee and thô he disowns the words as they are charged yet we are Satisfied that Severall indecent and unbecomeing expressions past between him & M^r Stanyarne a Member of your House over a glass of wine and that M^r Stanyarne a member of yo^r House tooke the liberty to Say (among other things) that 'twas in the power of the House of Com'ons, if they pleas'd to Send any of the Depties, to be lookouts on Sullivans Island or words to that effect, w^{ch} must needs be owned very rash and Affrontive to us also who are the Superiour part of the Legislature, so that if Enquiry be made into the case of Coll- Risbee, we cannot be

so farr wanting to own Hon^{rs}. as to overlook Mr Stanyarne behaviour./

But this measure being likely to engage us into heats and Contentions. looseing our time, & Neglecting the end for w^{ch} we are mett, we think it more adviseable to pass it by, with a Mutuall Silence. takeing more care on both Sides not to give the like offence for the future—

As to the repairing & disposing of the Countrey boat and Galleys we agree with you, in the Measures you propose and desire it may be done as soon as possible—

N Johnson—

A Message from the Govern^r and Councill by Cap^t Evans wth an Answer to Cap^t Eves petition, that Coll- Rhett did order the posts and rails to be pull'd down by order of the Govern^r and Councill it being a direct path, and that it is their opinion that Some way may be found for the paym^t of those persons to whome the Land belongs to.—

Order'd

That Mr Rob^t ffenwick and Mr John Stroud Carry the ffollowing Message to the Govern^r & Councill— Viz^t—

May it please yo^r Hon^{rs}./

We have Consider'd Cap^t Eves petition and cant ffind any Law Impowering any to make a passage through his Land, and therefore are of opinion its no ways consisting wth: the trust reposed in us to pay him anything for damage thereby Sustained out of the publick, but in such case must leave him to Such Methods as the law directs and to Improve his Land according to his discretion—

Tho: Smith Speak^r

Motion being made that James Childs mittimus be Sent for w^{ch} was done accordingly—

Order'd

That James Childs Mittimus be read, w^{ch} was read accordingly Order'd

That Mr Rob^t ffenwick and Mr John Stroud Carry the ffollowing Message to the Govern^r & Councill.—

May it please yo^r Hon^{rs}.—

Whereas James Child an Indian Trader is Committed to the Coustody of the Marshall by Cap^t Tho: Nairne Esq^r One of Her Majesties Justice of the peace for makeing

Warr on his own Accord against the Indians, and for Severall other enourmous, and very notorious crimes as Sett forth in his Mitimus. We therefore humbly request yo^r Hon^{rs} to take that Cognizence of these flagitious and horrid crimes according to their demerit, for we Suppose them to be of that nature as farr Surpasses the power given to the Com^{ons} by our Indian Tradeing Act to try, and that therefore the said Child be put in Irons. and keep in Close Coustody, & that he be prosecuted by the Attorney Gen^l: according to law—

Tho: Smith Speak^r—

The House Adjourn'd till Eight a Clock to morrow morning

Tuesday Octo^r: 28th: 1707/

The House mett according to Adjournm^t—

The House being inform'd that Thomas Welch attended below according to the order of this House./

Order'd

That Thomas Welch and the Checcasau Gen^l: be Sent for up who appearing inform'd the House that he did not doubt but at the Charge of a 100[£] to make the Chauctaws & Yawsaws now in league with the french to be our friends and allies—

Order'd

That Cap^t Nairnes Lett^r: directed to the Commissio^{rs}. of the Indian Trade be read which was done accordingly/

Order'd

That the debate of the said matter be defferr'd till another time.—

Order'd

That Mr John Woodward Inquire if such goods as may be Suitable is to be gott & at what price & report the Same to this House/

A Message from the Govern^r and Councill by Cap^t George Evans. who Inform'd the House that the Cherriques had gather'd a present for the Govern^r. of Severall Skins w^{ch} was prevented comeing to his Hands by one Card, thô they were gather'd before the Indian Tradeing Act took place, desires the House would Examine into the matter—

A Message from y^e Govern^r & Councill by Cap^t Evans wth. Sundry petitions—

Order'd

That they lie upon the Table—

The House Adjourn'd till two a Clock in the Afternoon

The House mett according to Adjournm^t—

Order'd

That Mr Rob^t. ffenwick and Mr John Stroud carry the ffollowing Message to the Govern^r & Councill—

May it please yo^r Hon^r—

By the Message Sent by Cap^t Evans we find that your Hon^r— is of Opinion that there was a parcell of Skins gather'd by the Charakees w^{ch} was design'd for yo^r Hon^r, before the Act for Regulateing the Indian Trade was past, now may it please your Hon^{rs}. the House of Com[']ons designs to give orders to the Com[']issio^{rs}. to Inquire further in this matter, and if on Examinac[']on they find that according to the Act your Hon^r— ought to have the p^rsent. that is now gather'd, the Com[']ons have given orders that they be deliverd accordingly—

Tho: Smith Speak^r.

Order'd

That the president of the Indian Trade Send up to the Agent, to enquire perticularly concerning this present of Skins, and if upon enquiry the Commissio^{rs} find the present to belong to the Govern^r. to order them to his Hon^r. accordingly

Order'd

That Mr William Gibbon & Mr William Smith be a Committee to Examine the Report of Mr Satur relateing to Coll Rhett's Acco^{ts}. and Report the Same to this House to morrow two a Clock

Order'd

That a Committee be appointed to draw up Instructions & an answer to the Lett^r. of Cap^t Thomas Nairne, and that Cap^t Geo: Smith, Mr John Ash & Mr James Cochran be a Committee accordingly and bring in the Same to this House

Read the Petition of John Wilden at Sewee relateing to his losses Sustained by the privateer that carried the Pilott away— and the Question being put whether the Sume of Twenty pounds be allow'd him for his losses

Carried in the Affirmative—

Order'd

That the Sume of Twenty pounds be paid out of the publick to the Said John Welden—

Upon Reading the petition of Dr Crook—

Order'd

That he Attend this House to morrow in the Afternoon—

Read the Petition of Tho: Leavy and Order'd to be rejected

Read the petition of Cap^t Eves & order'd to be rejected—

Motion being made by Mr John Ash that the lookouts who tooke the french man that run away with Cap^t Eves Negro's be rewarded and the Question being put whether they Should be rewarded or not—

Carried in the Affirmitive

Order'd

That five pounds be given out of the publick to the Lookouts for their further Encouragem^t—

The House Adjourn'd till to morrow morning Eight a Clock—

Wensday Octo^r: 29th: 1707/

The House mett according to Adjournm^t—

Resolv'd

That the Orders of the House be Stricktly kept.—

Motion being made by Mr John Stroud that a Store of powder and Shott be kept out of Town & upon debateing the Same—

Resolv'd

That powder and Shott be lodg'd in the Hands of the Capt^{ns}— of the patrol—

Order'd

That Mr. Jo^r Abra^s: Motte & Mr. Rob^t: ffenwick wait on the Govern^r and informe him that this House is of opinion that powder & Shott be bought & the Same to be lodg'd in the Hands of the Captains of the patrol & desire his Hon^{rs}. opinion, who being return'd Inform'd the House that the Govern^r heartily Concurr'd with the opinion of this House—

Order'd

That a Bill be brought in accordingly and that Mr John Stroud and Cap^t. Jonathan Drake be a Committee accordingly to prepare and bring in said Bill—

A Message from the Govern^r & Councill by Cap^t Evans Viz^t.

Gentlemen/

Yeasterday in the Afternoon we rec'd three Messages from your House, One concerning James Child another about Capt Eves Petition and the third relateing to the p^rsents Collected for the Govern^r by the Indians, to w^{ch} we answer first we are very willing if M^r Child has transgress'd the Laws or Committed any misdemeanors in prejudice of the peace of the Countrey that he Should be proceeded against according to Justice without any respect or regard whatsoever, but we cant but take notice how little trouble you give your Selves to informe us what grounds you have for yo^r Suspitions agst him, thô you press us to Shew him the Strictness due only to Traters & Murderers—

Therefore Gentlemen we do expect that if you have any Lett^{rs}: depositions or other informac'ons concerning M^r Child you lay them before us, that from theme we may Collect whether his Offence is Bailable or not, for otherwise we fall into an Error against the Intent both of Law and Justice, and when we are so inform'd there will be no need to importune us either to take Cognizance of the Crime or punish the Offender—

As to Capt Eves Petition we are Still of the opinion and think it but reasonable that the publick & no other Should make him Satisfaction for his Land, Since it would have been so inconvenient and prejudiciall to the Intrenchm^{ts}: to have the Adjoyning Lotts finished & Settled, and we wonder at the litle respect wherewith you treat your Govern^r. letting every private person loose to Contest his Actions, which you cannot but own were design'd for the publick Safety for if our fortifications are block'd up tis in vain to expect any Advantage by them nay rather we are less then on even terms with an Enemy—Besides Gentlemen you mistake the words and meaning of the Act when you say that you cant find any Law &c^a. for in the Act made for fortifying Charles Town amongst other things it is said that the Commissio^r. Coll Rhett Shall have power with the advice of the Right Hon^rble: the Govern^r: to remove any thing that he Shall think prejudiciall to the said fortificac'ons, the true intent & meaning of w^{ch}: is to remove any thing that might obstruct the Guns from playing or Shelter an Enemy on his approach to the Town, which the Setting up fences & building houses so near the trenches

would certainly do, and so the prohibition to Cap^t Eves does not exceed the power given by the purport of that Act but is pursuant thereto, and absolutely necessary for the reasons afore-said & therefore it will be very litle to Cap^t Eves Advantage to Send him to the Govern^r for Satisfaction—

And lastly as to the doubt you make whether according to the Act, the Govern^r ought to have the present of Skins (prepared and ready to be Sent to him by the Cherekees) or not, we see no room for Such Scruples, or any reason to Expect better Satisfaction any were else, or from any other person then you had yeasterday we Sent you two of y^e head men of men of that Nation, who have Inform'd you that tis above Eight Months Since those Skins were Collected for the Govern^r, and the Act expressly excepts in the same paragraph were he quitts Claim to all Indian presents Such as are already in the Hands of Some Indian Trader or any other person or p^{er}sons ffor him, so that without a manifest violation to yo^r own Act you cannot deny or delay Sending orders to your agent to forward the present to the Govern^r— as has been already requested of of you & which we had much rather Should be Effected that way, then oweing to the necessity of other measures—

N Johnson—

Motion being made that the Govern^r may appoint Some places for to retreat to upon any Sudden Surprize, & upon debateing the Same Order'd that M^r Rich^d. Berrisford & M^r Grange Carry the ffollowing Message to the Govern^r Viz^t.

May it please your Hon^r./

This House haveing under their Considerac^{on} the necessity of places for Randevouz and Rallying our forces in case of a Suden Surprize or Repulse from our Enemy's least your Hon^{rs} orders Should not reach time enough to the respective Officers of each Company as also besides the powder to be lodg'd with every Respective Cap^{ts}: of the patrooles, to have two Magazines of four Barr^{ls} of powder & ball proportionable in each Magazine at some convenient parts in the Countrey, do humbly offer the Same to yo^r Hon^{rs}— considerac^{on} & to appoint where the places for Randevouze and Magazines Shall be fixt that the Same may be Inserted in an Act

Tho: Smith Speak^r—

The House Adjourn'd till ½ an hour after two a Clock—

The House mett according to Adjournm^t.—

Motion being made by Coll- Logan that the bounds & Limitts of the Severall parishes be fixt & upon the debate of y^e Same Order'd

That a Committee be appointed to bring in an Additionall Bill to the Church Act for Limitting the bounds of each parrish & that Coll- Geo: Logan Mr John Stroud & Mr Jn' Abra' Motte be a Committee accordingly & bring in the Same on Saturday next—

Motion being made that what barr^{lls}. & locks major Boone has in his possession of the publicks be now fitted up—

Order'd

That Capt Walker be Sent for who appearing and being ask'd by Mr Speaker if he had the barr^{lls}. & locks of the Arms that was burnt at Maj^r: Boones Answer'd he had not & yⁿ withdrew & upon the debate thereof—

Order'd

That Capt Tho: Walker Capt of the ffortificac'ons do take into his possession all the barrels & locks Maj^r: Boone has in his Coustody and have the Same new Stockt & mended—

Order'd

That Mr John Stroud & Mr Rob^t: ffenwick prepare & draw up an Answer to the Govern^{rs} last message which was done accordingly and is as ffolloweth—

May it please yo^r Hon^{rs}—

By Cap^t Evans yeasterday we

rece'd yo^r Hon^{rs}— answer to our Messages we Sent you in relac'on to Mr Child Cap^t Eves and the presents of Skins &c^a as to that of Mr Child we had Sufficient reason to make our Applicac'on to your Hon^{rs} that he might be prosecuted according to Law, haveing had as well heretofore as of late Severall good proffs of his notorious Crimes and misdemean^{rs}. Committed amongst the Indians tending to the breach of friendship between the Indians and us, & Consequently the dreadfull Effects of an Indian Warr, which proffs we herewth. Send you, & pray yo^r Hon^{rs}. will take Such Methods as the Crimes Imports to bring him to Condeign Punishment—

As to what Concerns Cap^t Eves we cant be of any other opinion till better Satisfied but that he ought to have the liberty of putting up his fences for his proffitt as well as others have to keep

up theirs as well as their Houses which are as near to the fortifications, & much more prejudicial to the Same than his, And what your Hon^{rs} infers from Coll Rhett's power joyned with the Advice of the R^t: Hon^{ble}: the Govern^r. we dont apprehend that thereby any person should be deprived of his undoubted right in makeing the best advantage of his Land—

And Lastly as to the Indian presents of Skins which your Hon^r intimates was design'd for Govern^r— we Shall not be no ways a hindrance to the Same as Soon as it appears to us t^was intended for his Hon^r. according to the Intent & purport of the Act—

Tho: Smith Speak^r—

Order'd

That Mr Rich^d. Berrisford & m^r Hugh Grange carry the foregoing Message to the Govern^r & Councill—

An Additionall Bill to an Act for makeing and mending Roads &c^a was Read the Second time & past wth Amendm^{ts}—

Read the petition of Nicholas Longemar praying to be heard relateing to a mistake happn'd in his Account

Order'd

That the said Nich^o: Longleamar attend this House to morrow morning/

The Committee to whome it was refferr'd to Examine the Report of Mr Satur relateing to Coll- Rhett's acco^{ts}: inform'd the House that they had made Some progress therein & praid leave till Saturday next to make their Report—

Order'd

That the said Committee have leave till Saturday next to make their Report.

Coll- Geo: Logan one of the Committee to whome the publick acco^{ts}: was refferr'd Inform'd the House that the Committee had made Some progress therein & praid leave till Saturday next to make their Report—

The Committee to whome it was refferr'd to prepare & bring in a Bill to prevent negro's Cabaling on the Sabbath day. Reportd that they had made Some progress therein & praid Leave till Saturday next to bring in the said Bill—/

Ordered

That the said Committee have Leave till Saturday next to bring in the said Bill./

The Committee to Whome it was refferr'd to prepare & bring in a Bill for the Encouragement of Building of Vessells praid Leave till Tuesday next to bring in the said Bill./

Ordered./

That the said Committee have Leave till Tuesday next to bring in the said Bill./

The Committee to whome it was refferr'd to prepare & bring in An Additionall Bill to an Act for Appointing Lookouts Pray Leave till Saturday next to bring in the said Bill./

Ordered

That the said Committee have Leave till Saturday next to bring in the said Bill./

The House Adjourn'd till to Morrow Morning Eight a Clock./

Thursday October 30th: 1707./

The House Mett According to Adjournment/

Ordered

That M^r: Richard Berrisford M^r: Hugh Grange Carry y^e following Bill to the Govern^r: & Council Entituled an Additionall Bill, to Act for makeing Roads &c

The House being informed that M^r: Longlamare attended below according to order.

Ordered

That he be sent for vp who appearing and being Examined by M^r: speak^r: Concerning his Accounts relateing to the printing of Bills & then withdrew & upon Debateing y^e Same the Question was put whither he shall be Allow'd three pounds more then before.

Carry'd in the Affirmitive.

Motion being made that M^r: Longlamore be paid for the seal belonging to the Commiss^{rs}: of the Indian Trade he Demand^{ing} Twelve pounds & upon Debateing the Same./. the House thought 9 pounds to be sufficient/.

Ordered

That Cap^t: George Smith pay out of the Moneys Arriseing by the Indian Tradeing Act unto Nicholas Longlamore for the plate Ingraveing & finishing the publick Seal for the Comis^{rs}: of the Indian Trading Act the Summe of Nine pounds & that M^r: Speaker sign this order.

The House being Informed by Cap^t Smith that Dr: Marston praid Leave to be heard by this House.

Ordered

The he be sent for in who Appearing desired that this House would order the publick Receiver to pay him his Salary & then withdrew Upon Debateing the Same.

Ordered

That the same matter be further debated in the Afternoon.

The House Addjourn'd till two a Clock in the Afternoon—

The House mett according to Adjournment

Upon the further debateing the Matter Concerning Dr. Marston.

Ordered

That Mr John Stroud Mr Robert ffenwick & Mr: Jo^h: Abra^h: Motte be a Committee to prepare & draw up a Message to the Govern^r. & Council to Inform their Hon^{rs}: that this House is of opinion That their is money due to Dr: Marston & to desire their Hon^{rs}: if they have any Reasons why the same Should not be paid & to Let this House know them./

A Message from the Govern^r: & Council by Cap^t: Geo: Evans wth: the ffollowing Message. Viz^t:

Gentlemen.

Yo^r: Message this Morning offers to our Consideration the Necessity of places of Randesvoze & Rallying our ffoces in a Case of a Sudden Surprize or Repulse from the Enemy & to fix the Same that they may be inserted in an Act w^{ch}: proposall. we are of the opinion is inconsistent with the nature thereof as well as not practicable for how is it possible to As-sertaine any place as a Randesvouz to Rally our ffoces when wee know not where the Repulse will be given, but in all Such. Cases tis the Generall only that is invested with a Discretionall power to Direct as the Exigency of affairs shall Require, & therefore (not to say any thing) of the Dangerous Consequence of the publick knowledge of a place to Rally on with w^{ch}: the enemy in all Likelyhood may be informed & so Defeat the Design) such insertion in an Act is altogether improper & inter-fers with that power that ought to be reserved & Lodged in the brest of the Generall & as to the other part of that Message Concerning Magazines &c we do not very rightly Understand the Meaning & intent of it without Some further Explanation w^{ch}: Wee expect from You./

But Gentlemen Since we perceive yo^r: House is under Military Considerations we think it Seasonable to Advise You that there is a Great Defect & Want of Cap^{ts}: there being Severall Companies unprovided, and therefore it is Absolutely Necessary that some means & Methods be used & taken to encourage Capable persons to supply those Vacansies for it is in Vaine to think of the Advantage of our fforces if the severall Companies want Leaders & tis very Likely this Mischief may be prevented & fitt p^rsons undertake the Charge if the Trophies of each Company be allowed by the Country w^{ch}: is no ways Unreasonable Since there are always other Considerable Charges unavoidable incident to the Commission & therefore wee press Yo^r: Speedy Consideration in that affair

Wee Likewise must put You in Mind of the Eight Barrells of powder & Shott borrowed & Lent to us by the Govern^r: of Bermudas as wth: all in Honor: & Justice wee ought to have paid Long Since, which the Govern^r: by Severall Urgent Letters has Demanded of us./

Natha^{ll}: Johnson.

Upon Debateing the same the Question was put whether Drums Collours & Haulbards be paid for out of the publick to each Company

Carried in the Negative.

The Committee Appointed to prepare & draw up the Message to the Govern^r: & Councill. Concerning Dr^r: Marston brought in the Same which was Read & Agreed to & is as ffolloweth. May it please Yo^r: Hon^{rs}:

Dr^r: Edward Marston

Haveing made Application to this House to Have his Salary of £150 p ann paid him as being Minister to the Church of England In Charles Town According to a Law made & provided in that Case for the payment thereof. And the same Appearing to us by the said Act to be justly due to him but finding Yo^r: Hon^{rs}: not Concurring to an Ordin^r: for the payment of said Sallary the Last Sessions do pray Yo^r: Hon^{rs}: to Show us Such reasons that wee may be thereby Satisfied Why the said Doct^r: Marston ought not to be paid According to the directions & Intent of the said Act/.

Tho: Smith Speak^r:

Ordered

That Mr: Richard Berrisford & Mr: Chickin Carry the above Message to the Govern^r: & Councill./

The House Adjourn'd till to Morrow Morning Eight a Clock;

ffryday Octo^r: 31st: 1707/

The House mett According to Adjournment.

The House being informed that Cap^t: Canty Came from the Northward Indians & that an Indian makeing his Escape ffrom the deserted Savanahs informs that they design to fall on y^e Northward Indians ab^t: March next/.

Ordered

That Cap^t: William Cantey be sent for by the Messenger attending this House & that he Attend the same on Tuesday next & have the proctection of the House agst: all arrests goeing & Comeing Except for breach of the peace & that Mr: Speaker sign this Order.

Motion being made that Mr: Mackey Haveing Such Goods which is wanted for a present to the Indians that a Letter be sent to him to Spear the same Goods/.

Ordered

That Coll: Geo: Logan draw vp a Bill to the said Mackey w^{ch}: he brought in & is as followeth; Viz^t:/.

Mr: Alex: Mackey./ Octob^r: the 31: 1707/

S^r: Our Agent Cap^t: Tho: Nairne Haveing advised this House that he wants ab^t: One Hundred pounds of Indian Trading Goods for presents to be delivered to the Indians such Goods not to be had in Town & being Informed that You Carried Such Goods from Town with You/.

The House request the favour that you would be pleas'd to Speare Such Goods & that You would deliver them to Mr: John Woodward & his agreement with You & Order on the publick Receiver for the Same shall be punctually paid. Your Compliance herein will oblige the House.

2 p^d Strouds

I am Your's./

one D^o: Stript Blanketting

Tho: Smith speak^r:

Ordered That Mr: Speak^r: sign the same/.

Ordered

Mr: John Stanyarne be sent for by the Messenger Attending this House & that he Attend the Service of the same on Munday. The House Addjourn'd till to Morrow Morning Eight a Clock.

Saturday November the 1st: 1707/

The House mett According to Adjournment

The Committee to whome it was Referr'd to prepared & bring in a Bill to prevent Negro's working on the Sabbath day According to order brought in the same w^{ch}: was read the first time & past wth: amendm^{ts}:

The Committee to whome it was refferr'd to prepared & bring in an Additionall Bill to an Act for Appointing Lookouts according to order brought in the Same which was Read the first time & past with Amendm^{ts}:/.

The Committee to whome the publick Acco^{ts}: was Referr'd made report that they had made Some further progress therein & praid further time to make their Report

Ordered

That the said Committee have further time to make their Report.

Ordered

That the ffollowing Acc^{ts}: being a p^rsent to the Chickasaw Gen^l: be paid by the publick Receiver viz^t:/.

and y^t M^r: Spek^r: Sign the order for the same

To 4 Yards of fine black broad Cloath at 30 ^d p ^r y ^d —.	£6—..—.
5 Yards Redd Shelloone —. —. — at 5 ^s p ^r yard	£1—5—.
3 Doz ⁿ : Coat Buttons—..—..at 2 ^s /6 p ^r Doz	„—7—6
2 Doz ⁿ : of breast Buttons—..—..at 12 ^d p ^r : Doz	„—2—.
28 Silk —. —. —. —. — at 3/9 p ^r ounce	„—7—6
1 pair of Scarlett Stockings at —. —. —. —.	—17—6
1 pair of Shoos —. —. —. —. —. —. —. —.	—7—6
1 pair of Shoobuckles —. —. —. —. —. —. —. —.	1—10½
1 Hatt —. —. —. —. —. —. —. —.	— 10—.
2 y ^{ds} : of White Ribbon at —. —. — at 3 ^s /9 ^d p ^r : y ^d —.	—7—6
1½ y ^d : broad Dowlace —. —. —. — 8 ^d —.	— 7—6
2¾ y ^d : broad Garlick —. —. —. — at 6/3 p ^r y ^d —.	—17:—2¼
3¾ of Garlick —. —. —. —. — at 3/9 p ^r y ^d —.	— 14—11½
¼ y ^d broad Dowlace —. —. —. —. —. —. —. —.	„—1—6¾
1:d: fine thread: & buttons for the shirts —. —. —. —.	1—.
To making the two Shirts —. —. —. —.	—5—.
To M ^r : Joseph keys for makeing y ^d Coat & Britches—.	1—2—6

Carry'd over £13—18:3

Brought over —, —, —, —, —, —, —, —,	—£13—18:3
To Thread & Buckerum —, —, —, —, —,	—£,—2—6
To a Gun —, —, —, —, —, —, —,	—£3,—,—
To a pistoll & two Neckclothes of Cap ^t : Mathews—,	£3—6—3
To a Cutlash —, —, —, —, —, —,	—£2,—,—
	<hr/>
	£22—7,—,
	<hr/>

Motion being made that the Indian Tradeing Act be Lookt into & if any amendments be to be made that an Additionall Clause might be brought in./

Ordered.

That a Committee be Appointed Accordingly to Look in the said Act & prepare An Additionall Clause Accordingly if need require the Same & bring in the same on Munday Next & that Mr: Robert ffenwick & Mr: Jo: Woodward be a Committee Accordingly

The Committee to Whome the Report of Coll: Rhett's Acc^{ts}: was Referr'd w^{ch}: has been Examined by Mr: Satyr According to order brought in the Same/.

Motion being made that Mr: Welch be sent for to know his proposales or Demands for bringing over the Yawsaws & Chartaw Indians to our Alliance/.

Ordered

That he be sent for

Who Appear'd & the same being Demanded of him

Ordered.

That w^t: goods are bought for the p^rsent for the Indians which the Agent Sent for by Mr: Woodward be paid for out of the publick Treasury/.

The House Adjourn'd till Tuesday morning Eight a Clock.

Tuesday, November the 4th: 1707/

The House Mett According to Adjournment

The House Adjourn'd till three a Clock in the Afternoon.

The Messinger inform'd the House y^t Cap^t: Cantey attended below According to order who being sent vp said he Could not Give any other Relation then w^t: the House was Informed of before/

Motion being made that Capt: Wilkinson & Mr: Cochran be sent for

Ordered

That Capt: Christopher Wilkinson & Mr: John Cochran absents themselves from the Service of this House be immediately Sent for by the Messinger of the same & that Mr: Speaker: Sign the same.

The House mett According to Adjournment

Mr: Robert ffenwick one of the Committee to whome it was reffer'd to bring in an Additionall Bill to an Act Entituled an Act for Regulateing the Indian Trade &c According to Order brought in the said Bill

Mr: John Ash praid Leave to bring in a Bill for the more Speedy Commencement of Suits of Law &c.

That Mr: John Ash have Leave to bring in the said Bill to Morrow Morning/.

The Committee to whome it was reffer'd to bring in a Bill for the Encouragem^t: of Trade & building of Vessells according to Order brought in the said Bill which being Read was ordered to be Recommitted for Amendm^{ts}:

Motion being made that those persons to whome the Countrey is Indebted upon the ffortifications be paid & upon Debateing the Same.

Resolv'd

That those p^rsons who have Creditted the Country for Negro's Hire after Six Hundred pounds be expended as was appointed by a former Act for the ffortifications be paid & that a bill be brought in Accordingly & that Capt: Smith. & Mr: Grange be a Committee to bring in the same

Ordered

That Capt: Walker Commission^r of the ffortifications Attend y^s House to Morrow in the Afternoon.

The House Adjourn'd till to Morrow Morning Eight a Clock.

Wednesday November the 5th: 1707/

The House mett According to Adjournment.

The House Adjourn'd till two a Clock in the afternoon.

The House Mett According to Adjournment.

The Committee to whome the Bill for the Encouragement of Trade was Recommitted for amendments brought in the same w^{ch}: was Read the first time & past with a Mendments.

M^r: John Ash according to order brought in a Bill for the more Speedy Commencem^t: & prosecution of Suits in Law in the Court of Com'on Pleas was Read &

Ordered

To be Recommitted for amendm^{ts}.

The Committee to whome it was refferr'd to prepare and bring in An Additionall Bill to the Church Act for abounding the Limitts of each parish According to Order brought in the Same which was Read & put to the Vote whether it Should pass the first time & past with amendm^{ts}.

Thursday Novembr^r: the 6th: 1707/

The House Mett According to Adjournment.

vpon Motion made

Ordered

That those Members absenting themselves from the Service of this House be sent for by the Messinger Attending this House Upon reading againe the petition of Tho: Welch Indian Trader praying that he be paid for the powder & Shott he gave to the Checkasaws when the ffrench was for perswaiding them to come over to their Alliance.

Ordered

That W^m: Smith Esq^r: take the Oath of the said Welch of the truth of the said presents w^{ch}: being done & upon Debateing y^e Same the Question was put whether the prime Costs of His Goods— being £61 be allow'd him/.

Carried in the Affirmative

Upon Reading the Petition of M^r: James Moore praying Leave to bring in a Bill to Enable him to Sell Land for the paym^t: of Coll: Jeams Moores Debts & that M^r: John Stroud M^r: Richard Berrisford & M^r: Geo: Chickin be a Committee to Examine into the Allegac'ons of the said petition & report the same to this House

M^r: James Moore Laid before this House An Account of y^e time Each person was out when they went after the Savannas. Amounting to one Hundred Seaventy three pounds tenn Shill^s: According to a former Order w^{ch}: was agreed to: /

Ordered

That the publick Receiv^r: do pay out of the publick Treasury unto Cap^t: James Moore the Sume of One Hundred & Seaventy three pounds Tenn Shillings Sixteen pound Tenn Shillings being for himself & the remaining One Hundred fifty Seven pounds to be proportionable by him paid to Each person that attended him in the Late Expedition Agst: the Deserted Savannas and that this order be sent to the Govern^r: & Council for their Concurrence/.

Assented in the Upper House.

Tho: Smith

Nathaniel Johnson.

Speak^r:

Mr: John Stanyarne Informed the House that Mr: Berrisford had prest some powder & bulletts belonging to him when he was. after the Savannahs to the Value of six pounds five shillings & vpon Debateing the Same

Ordered

That the publick Recev^r: do pay out of the publick Treasury unto Mr John Stanyarne the sume of six pounds five shillings being for powder & Bulletts w^{ch}: Mr: Berrisford prest when he was after the Savannahs & that this order be sent to the Govern^r: & Councill for their Concurrence/.

Ordered

That the publick Receiv^r: pay out of the publick Treasury unto Mr: Tho: Welch the sume of Sixty one pound being for powder & Shott he Gave the Checacasaws when the french was Endeavoring to bring them in their Alliance, to Continue them our friends.

a Bill for the more Speedy Commencem^t: & prossecution of Suits in Law was Read the first time & past wth: Amendm^{ts}:
The House Adjourn'd till ½ an Hour after two in the afternoon.

The House mett according to Adjournment.

Coll. Logan Informed the House that he was Supcæn'd to Appear in the Afternoon at a Court of Chancery & Mov'd the Houses Opinion therein/.

Ordered

That Mr: John Stroud & Mr: James Moore Carry the following Messages to the Govern^r: & Council; viz^t.

May it please yo^r: Honor^{ts}:

Wee are Surprized that

a Member of o^r House was Summoned by the Marshall this Afternoon to Appear before yo^r Hono^{rs}: at a Court of Chancery w^{ch}: wee Cannot Comply with it being Agst: the known priviledge of our House Wee would not be thought thereby obstruct^{rs}: of Justice for Wee desire Nothing more then the ffree Course thereof and there are Suitable Seasons with respect to us in our publick Capacity for the Administring the same w^{ch}: Wee proffess Wee are willing to observe & do Hope Yo^r: Hon^{rs}: will not otherwise Consture this our Conclusion at p^rsent./

Tho: Smith speak^r:

A Message from the Govern^r: & Councill by Cap^t: Evans with three Bills w^{ch}: was Read the first time & past with a Mendments

And the ffollowing Messages.

Gentlemen.

Wee Expect the House of Com'ons would have been so Civil as to Have Sent us the originall Mittimus Depositions & Examinations Concerning James Child as they were taken or at Least Attested Coppies of them & before whome taken but However that shall Give no interruption to our proceedings thereon & therefore supposing the Crimes Laid agst: him are true Wee are unresolv'd in the Case of takeing or Refuseing baile & Desire Yo^r: opinion whither a p^rson Killing any Indian in amity with this Govern^t: ought to be proceeded agst: as a Murderer of any of the Queens Leige Subjects if you think he ought wee desire to know by what Law whereby the Attorney Gener^{ll}: may Ground the Inditem^t: agst: M^r: Child but if in that respect you find a deficiency in the Law then we advise You imediately to bring in a bill for the passing & makeing of Such a Law to punish the Like offence for the future for wee agree wth: You in the dangerous Consequences of such practices & will give the Attorney Gen^{ll}: strict Charge to prosecute Jeames Child at the next Gener^{ll}: Sessions of y^e peace for these high Misdemeanours Laid agst: him but See not How Wee can in Justice refuse to accept Baile for his Appearances & therefore being a Matter of So Great Moment Desire Yo^r: Advice therein/

Nathan^{ll}: Johnson.

Gentlemen/

Wee Read Yo^r: Message relating to M^r: Edw^d: Marston & do find the same so Gener^{ll}: that wee Cannot well tell Your Meaning in it for You say he Hath made his Application to have His Salary of a £150 p^r annum paid him as being Minister to the Church of England in Charles Town but you do not say for w^t: time so that by the Writing of Yo^r: Message it Looks as if he thought himself still Minister of Charles Town for You have not Said that he Officiated a Year before he was Removed & that there is 150 Due to him for that time but only in Generall that is due to him 150[£] p^r annum So if You please to explaine Yo^r: Message Wee question not but wee Shall be able to give a Satisfactory Answer if Reason will Satisfy You founded upon the Hon^r: of Yo^r: owne House

Nathan^{ll}: Johnson

ordered y^t y^e following Message be sent to the Govr^r: & Council viz^t

May it please Yo^r: Hon^{rs}:/

You are pleas'd to Lett us know by Yo^r: Message Relateing to the Rev^d: Edw^d: Marston that you find our address Concerning the said Marston So Gener^{ll}: that you cant well tell our Meaning in it & that if we will explaine y^e Same you question not but you will be Able to give a Satisfactory answer if Reason will Satisfie us &c.

as to the first part of our Message w^{ch}: is said to be So Gener^{ll}: that the meaning thereof Cannot be Understood. Wee therefore informe Yo^r: Hono^{rs}: That from the Date of the Ordinance of Assembly to Stop Doct^r: Marston Sallary there is Justly due to him One Hundred & ffifty pounds to the date of the Decree of the Commission^{rs}. to eject him and wee Suppose You are not Ignorant that Doct^r: Marston officiated in his ffunction at Charles Town to that time and as to the Latter part of the Message wee doe Expect to be satisfied by Reason Grounded upon a Sure foundation which is Consistent wth: the Hono^r: of our House./

Upon reading an Additionall Bill to the Indian Trading Act.

Ordered

That the said Bill be recomitted for Amendm^{ts}: to M^r: ffenwick M^r: Stroud M^r: William Smith M^r: Grange & M^r: Woodward

be a Committee accordingly & bring in the Same on Monday next.
a Message from the Govern^r. & Councill by Cap^t: Evans &c.
Gentlemen.

Wee read yo^r: Second Message relateing to M^r:
Edward Marston wherein You desire us to Give our Reasons
why he should not Have 150[£] paid him for officiating from the
date of the ordinance of the assembly to stop his Salary till
the time that he was ejected by the Decree of the Comis-
sion^{rs}: And we Cannot but wonder y^t you should aske us to
Give reason why he should not be paid y^e Salary when you
may see the Reasons very plainly in the words of the ordinance
where after y^e recitall of his offences & his abusing of the Gov-
ern^t: It is expressly Said y^t no more Money Shall be paid him
out of the publick Treasury untill Such time as by an ordinance
of the Gener^{ll}: Assembly upon his Amendment better behaviour
& Submission he be Restored to the Same, Now he hath been
so fur from any Amendment or making any Submission to
the Govern^t: that he Continued his abuses & Railing Constantly
in his Sermons So that neither the Govern^r: nor no one else
Concerned in the Govern^t: could Goe to Church except they
would be Contented to hear themselves abused He haveing his
abusise papers ready penned into his Sermon Notes to make use
of When he saw any one Concerned in the Govern^t: come to
Church w^{ch}: necessitatd the Commission^{rs}: to proceed agst:
him And Several of the Articles Charg'd agst: him before the
Commission^{rs}: was Occasioned by these Railing & abusive Ser-
mons Therefore wee Suppose you Cannot Expect wee Should
Consent to have him paid for these abusive Sermons for which
we thought him worthy to be deprived And whereas You ob-
ject y^t he officiated y^t time to y^t we Answere y^t we know no
one Yet desired him & all of us would have been Glad if he
would have Lett it a Lone for it was his officiating drove us
& others from the Church who were Sure to be abused by
him in his Sermons And he hath Still Continued His Inso-
lences & abuses to the Govern^t: a particular Instance of which
You had in Last Scurrilous & abusive Letter sent the Gov-
ern^r: w^{ch}: was Laid before Yo^r: House y^e Last Sessions & at
y^e opening this Yo^r: Meeting the Govern^r: told you how ill he
took yo^r: fformer Treatment of him wth: Respect to M^r: Marston
And therefore Wee wonder to See you repeat Yo^r: Affronts to

the Govern^r: by siding with M^r: Marston by which we & every one may plainly See that a person need have no other Qualifications to Entitle him to Your favour but abusing the Govern^t: otherwise Surely You would never Expose the Cause of M^r: Marston whose notorious Guilt in y^t p^rticular is so well known. for Certainly You Cannot Suppose that wee or any other person will think it is Yo^r kindness to the Church & the Clergy in Generall. for as to the Church You have Sufficiently Shewed Yo^r: prejudices to y^t by a Late Instance And for the Clergy You Have Shewed Yo^r: Good will to them in the Case of M^r: Lazel whom You have refused to Gratify tho You all know y^t he Hath Officiated to y^e Satiesfaction & Content of the Government & his parishioners.

Now as to M^r: Marston he hath never made any amendment nor Submission in all this time Elaps'd since the first passing the Ordinance for Stoping his Salary and therefore we Give You this as our possitive & final Answer Concerning him That we will never Consent that he shall have any Money paid him out of the publick Treasury Neither will we Spend any more time and pains in Receiving or Answering any more Messages relateing to him.

Neither do we know w^{ch}: way he Could be paid as a Minister if were willing when the old Church Act is Repealed and all the publick Money Appropriated under a Strict penalty upon the receiver for paying Contrary to the Appropriation And therefore if he Deserv'd our Pitty or favour w^t Should be Alotted him (as the Treasury is now Settled) must be by way of Gift or Charity, and as to that when we Can See his Submission to the Government for his many Abuses of them, and that Wee shall have Some Experience of his Liveing as becomes a Christian & a Minister of the Gospel & of the Church of England in p^rticular by paying all Dutifull obedience to the Government, According to the known Doctrine of the Church & Liveing in Love & Charity wth: all people And p^rticularly the people of his parish, Then & not before wee shall Consider how farr he & his family are objects of our Charity. And Shall not then be Wanting to shew our Selves Compassionate & ready to forgive/

Nathan^l: Johnson

The House Adjourn'd till to Morrow Morning Eight a Clock

ffryday November the 7th: 1707/

The House Mett according to Adjournment/.

Ordered

That M^r: John Stroud & M^r: John Woodward wait on the Govern^r: & Desire his Hon^r: would be pleased to Give a Commission to M^r: Welch to Enable him to go Agst the ffrench at Mobile & Informe his Hono^r: w^t this House has done in Relac^{on} to the Indians who being return'd Informed His Hono^r: is of opinion that it would be better to fall on the ffrench at once Least a peace Should be proclaimed for the Indians will not Imediately be brought over/.

Ordered

That M^r: John Abra: Motte & M^r: ffenwick waite on the Govern^r and Council & Desire their Hon^{rs} to Appoint a Committee of their House to meet a Committee of this House to Conffer together Concerning the ffrench at Mobile & w^t Methods may be best taken whether by first makeing ffriends with the Chec-taus or falling on the ffrench at once

A Message from the Govern^r: & Council by Cap^t: George Evans Who Inform'd the House that they would Meet this House in a Confferrance at the House of Cap^t: Collins in Half an Hour/. The House went Accordingly & being Return'd, M^r: Speak^r: by consent of y^e House Adjourn'd till three a Clock in the Afternoon/.

The House Mett According to Adjournment

The House vpon debateing the matter Concerning removeing the ffrench Settlement at Mobile it being agreed by both Houses that it is of Absolute Necessity they Should be Removed

The Question was put whether Eighty Should be raised upon the Expedition agst Mobile/

Carried in the Affirmative

The Question was put whether each Man shall have ffive pounds in Hand & ffifteen pound at his Returne provided they take the place

Carried in the Affirmative

Resolv'd

That Cap^t: Tho: Nairn be Comand^r: in Chief agst: the Expedition against Mobile

Resolv'd

That Cap^t: Welch do raise w^t he can among the Indian not exceeding 20 Men

Resolv'd.

That Cap^t: Wilson take w^t p^rsons he can gett from the Settlements: not exceeding 60 men under His Command./

Resolv'd.

That each Cap^t: to Have ffifteen pound in Hand and 35[£] at their returne if they Succeed.

Each L^t: to Have 10 pound in Hand & 30[£] if they Succeed.

Each Ensigne to have Seaven pound in Hand & twenty three pound if they Succeed.

Resolv'd

That w^t plunder is taken be Equally divided amongst the Officers & Men/.

Resolv'd

That uttmost Endeavour be first made to make peace wth: the Chuctaus & Yawsaws before they fall on the ffrench—/

The House Adjourn'd till to Morrow Morning Eight a Clock./.

Saturday November the 8th: 1707/

The House Mett According to Adjournment

Ordered

That the following Acc^{ts}: being for a p^rsent be sent to the Indians To Cap^t: Tho: Nairn. Agent bought by M^r: John Woodward be paid for by the publick. Viz^t:

Goods bought of Major Parris

a p ^e : of Broad Cloth	—,,	£25—..—,,
9 Doz ⁿ : of Buttons—	,,	£ 1—2—6
		<hr/>
		£26—2—6
		<hr/>

Goods bought of Cap^t: Smith.

30 ^{tw} of beadds —,, —	£5—12—6
a p ^e : of Black drugett	£6—..—,,
	<hr/>
	11—12—6
	<hr/>

Goods bought of M^r: Goding.

	the other side/
200 ^{tw} of Butter —, —, —, —, —,	£3—15—,
200 of Powder —, —, —, —, —, —,	£32—,—,
6 ^{tw} of virmillion —, —, —, —, —,	£7—10—,
12 of Redd Lead —, —, —, —, —	£,—7—6
	<hr/>
	£43—..12—6

5 Gunns bott: of M ^r : flishero at £2-12-6p' —, —	£13—2—6
2 guns bott: of M ^r Balintine at 2—..5—..p' —, —	£4—10—..
1 Gun bott: of M ^r : Ellis —, —, —, —, —	£2—12—6
4 Guns bott: of M ^r : Moore at 2—10—p' —, —	£10—..,—,
Buttons bott: of M ^{rs} : Lawrance 12 doz ⁿ : at 7 ^d —, —	£2—12—6
Goods Bought of M ^r : Diston, one Doz ⁿ : 1½ of Hatchetts	£2—8.9
20 broad Howes —, —	£3—15—..
1000 of flints —, —	£1—5—..
	<hr/>
	£7:8:9

Goods bought of Coll Logan

51½ Yds of Penestons —, —	£12:17:6
30 Groce of Small Bells —	£4:10—..
1 q ^r . of horse bells —, —	£3.3—..
2 Doz ⁿ : of Small Looking Glasses at	£1:4—..
6 Large D ^o : at —, —	£2:8:—
¾ Y ^{ds} : Redd Strouds. —, —	£,—10—..
	<hr/>
	£11:15:—..

Buttons Bought of M ^r : Gibbons gr: botton —, —	£2:8:9
To the Taylors bill —, —, —, —, —	£29:13:9
	<hr/>
	£32:2:6

Bought of M ^r : Pasquereau 2 p ^r : of broad	
Cloath p ^s : of Duffills —, —, —, —, —	£41:—..,—,
To M ^r : Woodward 2 p ^s : ½ thick, & 100 of Bulletts —	£25:12:6
	<hr/>
	£

The Goods bought of Severall persons

Mentioned in this acct: on the accot: of the Publick

Erors Excepted Novem^r the 8th 1707/

John Woodward

Ordered that M^r: Speak^r: Sign orders for each mans Account.

Vpon Reading the Petition of Samuel Pugson & his wife praying Leave to bring in a Bill for the paym^t: of Debts Contracted by John Wilkinson Deced.

Ordered

That the Allegac^ons in the said petition Sett forth be Inquired into by M^r: John Stroud M^r: Richard Berrisford & M^r: William Gibbon & that they be a Committee Accordingly & Report their opinion therein to this House on Munday next

Vpon Reading a Memoriall of Cap^t: Tho: Walker relateing to Charles Town & the ffortification/.

Ordered

That a bill be brought in pursuant to the said Memoriall & that Cap^t: Smith M^r: Bull & M^r: Jo^s Ash be a Committee Accordingly to prepare & bring in the said Bill on Tuesday Next

Ordered that¹

Carry the ffollowing Message to the Govern^r: & Council

Viz^t:

May it please Yo^r: Hon^{rs}:

This House from their Return from the Conference Yesterday with Yo^r: Hon^{rs}: fell into the Debate of the subject wee mett vpon in Removeing the ffrench from Mobile & Came to this Resolution Viz^t: that Eighty Men Should be raised with all Expedition Sixty to be raised In the Settlem^{ts}: to be under the Command of Cap^t: Wilson & Twenty Indian Traders among the Indians under the Command of Cap^t: Welch both w^{ch}: Command^{rs}: to be Commanded in Chief by the Country's Agent Cap^t: Tho: Nearn (if Yo^r: Hon^r: Approves of the same) and for their Encouragement to Undertake the s^d: Expedition Wee have Voted each private Soldier Shall have paid him out of the publick Treasury five pounds in Hand & ffifteen pounds more upon their Succeeding in takeing the Said ffort of Mobile ffifty pounds to each Cap^t: fforty pounds to each Leiftenant & thirty pounds to each Ensigne to be paid Accord-

¹The names of those appointed to take the message were not entered here.

ing to the Same proportion & manner wth: all y^e plunder that Shall be taken to be proportionably Devided But with this Condition that we endeavour first before any Attack be made on the said ffort of Mobile to bring over the Chauctaws & Yawsaws to our ffriendly Alliance & Humbly Offer the Same to Yo^r: Hon^{rs}: Serrious Consideration to have Your Concurance therein that a Bill may be brought in Accordingly/.

Tho: Smith Speak^r:

The House Adjourn'd till Munday Morning Ten a Clock.

Munday November the 10th: 1707/

The House mett According to Adjournment

The House Adjourn'd till $\frac{1}{2}$ an Hour after two

The House mett According to Adjournment

Read the Petition of Tho: Cowle & ordered to be rejected
Ordered

That a Committee be appointed to Examine the Acc^{ts}: of Debts Due from the publick & that M^r: John Abr: Motte Coll: Logans & Cap^t: David Davis be a Committee Accordingly & make their Report to this House on Wednesday next & that they Send for persons papers & Records.

Read the petition of John Stone & rejected

Ordered

That a Committee be Appointed to bring in a Bill to Encourage persons to goe agst: Mobile & that Cap^t: Drake Cap^t: Moore Landg^r: Morton & M^r: William Elliott be a Committee Accord^d:ly & bring in the Same to Morrow two a Clock./.
The House Adjourn'd till to Morrow morning Eight Clock

ffryday November the 11th: 1707/

The House mett According to Adjournment

The House Adjourn'd till two a Clock in y^e Afternoon.

The House mett according to Adjournment

The Committee to Whome it was refferr'd to bring in additional Bill to finish the ffortifications &c According to order—
Brought in the Same

The Committee to whome the petition of M^r Jeames Moore praying Leave to bring in a bill for payment of Debts of Coll.

Jeames Moore Esq^r: was referr'd according to order made their in Viz^t:/

Wee find the Estate of Coll: Jeames Moore Esq^r: Dec^d: D^r:

To Sundry p ^r sons	}		
Due Am ^t : to—		£3413.,13.,5¾	
		p ^r : appraisem ^t :—,,	£1874:7:3
		p ^r : Debts am ^t : to —,,	£907:18:6
			<hr/>
			£2782:5:9
			<hr/>
Ball ^t : £631:6:8¾			
			<hr/>
			£3413:12:5¾

The Committee to Whome it was refferr'd to Examine into the Estate of John Wilkinson dec^d: the Adm^{rs}: praying Leave to bring in a Bill for the sale of Land Late belonging to the said Wilkinson for the payment of his Debts according to order made their Report Viz^t: we find the Estate debt^r:

To Sundry persons —,, —,, —,, £97:3:6
 By the Appraisem^t Am^t: to about —,, £48—,,—,,
 Ypon reading the Same order that the Administ^{rs}: be sent for who Appearing & being Examined by the House & After Some Debate

Ordered

That the Said petition be Rejected

The House Adjourn'd till to Morrow Morning Eight a Clock

Wednesday November the 12th: 1707/

The House Mett According to Adjournment

A Bill for the more Speedy Commencem^t: of Suits of Law was read the Second time & past wth: Amendments.

A Bill for the Encouragem^t: of Trade being read & upon Severall Debates

Resolv'd

That the said Bill be recommitted again for amendm^{ts}: to the Committee that brought in the Same.

Mr: John Stroud informed the House y^t y^e Savannas had fallen on y^e Northern Indians & had Carried Severall our Indian Slaves away with them./

Resolv'd

That the Govern^r: be Address'd in Relac'on thereunto & that M^r: ffenwick Cap^t: Moore & M^r: Chickin waite on the Govern^r: & Inform'd him of this Informac'on

Motion being made that the Inhabitants run out Land among the Indians w^{ch}: will occasion the Indians to Leave us.

Ordered

That M^r: Richard Berrisford M^r: W^m: Bull & M^r: Jeames Chochran be a Committee to bring in a Bill to prevent people Runing out Land amongst the Indians & bring in the Same on Thursday next.

The House Adjourn'd till ½ an Hour past two a Clock in the afternoon/.

The House mett According to Adjournm^t:

The Committee to whome it was refferr'd to prepare & bring in a Bill for the Encouragem^t: of Volunteers to go against & take Moble According to order brought in the Same w^{ch}: was read the first time & past with amendm^{ts}:

Motion being made by Cap^t: Geo: Smith Publick Receiver that his Acc^{ts}: be Refferr'd to a Committee of the whole House./

Resolved

That this House will Resolve themselves into a Committee of the whole House to Examine & State the publick Receiver Accounts/.

The House Adjourn'd till to Morrow Morning Eight a Clock

Thursday Novembr: the 13th: 1707/

The House mett According to Adjournm^t:

The House Mett according to Adjournm^t:

Resolutions

Resolv'd themselves into a Committee of the whole House & M^r Speaker Left the Chair,...

And M^r: Richard Berrisford being Chosen Chair man Assumed the Chair/.

And after some time spent therein M^r: Speaker ressum'd the Chair

The Chair Man of the Grand Committee Reported they had finished the saide Receivers Acc^{ts}: & praid Leave till the Afternoon to make his Report/.

The House Adjourn'd till three a Clock in the Afternoon.

The House Mett according to Adjournmt:

Read the petition of M^r: John Barnwell Comp^{tr} desireing to be
excused from his office/

Landgrave Morton praid Leave to depart the Service of this House till Tuesday Morning.

Ordered

That Lang^r: Morton Have Leave to Depart the Service of this House till Tuesday Morning/.

The House being Informed that Mr: Edw^d: Weekley & Mr: John Ball Could inform this House in Relacon to the Deserted Savannas/.

Ordered

That Mr: Edw^d: Weekley be sent for by the Messenger attending
this House & that he Attend the Same on Munday next

Ordered

That M^r: John Ball be sent for by the Messenger attending this House & that he attend the Same on Munday next & that he have the protection of the House agst: all Arrest Comeing & Goeing Except for Breach of the Peace & that M^r: Speaker Sign the order/.

Tho: Smith Speaker

The Chairman of the Grand Committee made the following Reporte.

The Committy Appointed to Supervise the Receivers & Con-
trollers acc^{ts}: Report

That they haveing Laid before us three books & Entryes of goods Imported & exported Commenceing from the 11th: of July 1707 untill the 6th of November 1707/

Wee find the Controlder gives C^r: for Impossitions kins & furrs
 excep^{td}: £954:11:33/4

The Receiver gives Short Cr: £2:13— which he is to Give Cr: in his new Account

Wee find in the Receivers books that he Rece^d-. from the Commissioners y^e 18th of July 1707 In New bills of

Creditt ——— „ ——— „ ——— „ ——— „ ——— £8000—„

Wee also find he hath Rec^d: from Coll: Geo: Logan Late Receiver being the Ballance of his Acc^{ts} —, —, —. £495,6..7.

Wee find by Impositions on skins & furs from July the 11th to November the 6th: has produce —. —. —. —. £586:3:11

And the Impositions on goods Imported & Exported Skins & —. —. —. furs Excepted has from the 11th: of July to Novemb^r: y^e 6th: 1707 produced £951:18:2¾

And Compareing the Certificates to the Secretary of the Commissioners for management of y^e Indian Trade with the Receivers Books we find do agree & have produce to the 28th: of October 1707 —. —. —. £232—.,—.,

Wee find by the Receivers Books that he hath received of the first and Second £4000 Taxes wth: the Intrist —. —. —. —. £64:16:1¼

The Whole being £10330:4:10¾

Wee have Compare & Seen Cancelled of old bills of Cr with there Intrist amounting to —. —. —. —. —. £2391:18:—.,

we find paid on the ffortifications —. —. —. —. £550—8—,½

Wee find paid for Great Guns & Look outs —. —. £—137—12:10½
we find paid out of y^e Lycence money for the

Comss^{rs}—: Charges —. —. £—34—10—.,

Wee find p^d—: for Ministers Salary's —. —. —. —. £—29—18:9

Wee find p^d—: on the acc^t: of Schedull Debts & Beast of prey £5965—10—¼

we find Charge for three months Salary of Mr: Receiver —. —. £—37:10:—.,

£9147—7:8¼

Wee find the Ballance of the Receivers accounts }
to the 6th: of November 1707 Dew to the publick } £1182,17..2½

Wee Likewise that wee have Examined Cap^t. Thomas Walker's accounts Commissioner of the ffortifications with Mr: Patrick Martine Comtroller & find them to agree & the Sume drawn out of the Treasury towards finishing y^e ffortifications Amounts to the Sume of five Hundred ninty Seven pounds thirteen Shilling & half penny.

Resolv'd

That the House agrees with the Committee In the said Reports.
Ordered

That M^r: Speaker Sign the ffollowing Words after they are
Written beneath the Receiver Accounts Viz^t Nouember the 13th:
1707/

Settled & Adjusted the Accounts of Cap^t: Geo: Smith Publick
Receiver to the Sixth of this Instant November & find Ballance
of Cash remaining in his Hands Due to the publick the Sume
of Eleven Hundred Eighty Two pounds Six Shillings & three
pence three farthings the above ballance being by mistake one
pound more w^{ch}: he must Rectifie Accordingly in the Succeeding
Acct^s:

Sign'd by order of the House this
13th. of November 1707/

Tho: Smith Speak^r:

Ordered

That the Indian Kings that brought down a prisoner belong-
ing to St Augustine be paid out of the publick five pounds as a
Reward to them

M^r: Mackie Informeing the House that According to the Desire
of this House he brought down the goods the House sent for,
the House not Likein the Same

Ordered

That the said Mackie have forty Shillings for his trouble in
bringing Down the Same

The House Adjourn'd till to Morrow Morning Nine a Clock.

ffryday November 14th: 1707/

The House mett According to Adjournment

Upon Rendering again the petition of M^r: John Barnwell
Comp^{tr}: praying to be Released of the Said Charge of being
Comp^{tr}: upon Debateing y^e Same

The question was put whether Cap^t: Tho: Walker shall be
Comp^{tr}: in the place of M^r: John Barnwell.

Carried in the Affirmative

Cap^t: Geo: Smith Publick Receiver Informing the House that
his business would not Admitt of his Continuance here desired
after his thanks to this House to be dismist

The question being put Whether M^r: Richard Berrisford shall be receiv^r: or not

Carried in the Affirmative

The Committee to Whome the Bill for the Encourage of Trade was Referr'd for amendments being read.

Ordered that y^e said bill be reffer'd till next Sessions

The House Adjourn'd till halfe an Hour after two

The House mett according to Adjournm^t:

Upon Debateing the matter relateing to the keeping up & Repairing the ffortifications.

Ordered

That the said ffortifications be Continueally repair'd wth: Cedar. and that a bill be brought in Accordingly

The House Adjourn'd till to morrow morning Eight a Clock

Saturday.

The House mett According to Adjournment

A Message from the Govern^r: & Councill by Cap^t: Evans wth: y^e following Bills Viz^t:

A Bill for the more Speedy Commencem^t: & prosecution of Suits in Law.

Read the Second time & past wth: amendm^{ts}:

An Additionall Bill to an Act for Appointing Look outs.

Read the first time & past with Amendm^{ts}:

An Additionall Bill to an Act for the better Observation of the Lords Day.

Read the first time & past with Amendm^{ts}: with a petition of W^m: Nowell Who Informed the House that the Govern^r: & Councill would on Wensday ten a Clock meet this House in a Conference of both Houses to Debate on Two Bills/.

An Additionall Bill to an Act Entituled an Act for y^e Establishm^t: of Religious Worship &c Was Read & being put to the Vote whether the said Bill shall pass.

Carried in the Negative

The Committee haveing inspected the Late receiv^r: acct^s: have reported to the House that the find the Ballance of Cash due to the publick the Sume of Eleaven Hundred Eighty Two

pounds w^{ch}: said Sum he is ordered hereby to deliver unto M^r: Richard Berrisford (together wth all Necessary publick papers for his Directions) in the followeing Manner Viz^t the D^r Side of an Account Given unto the House and Signed by the Speak^r: November the 15th 1707 Amounting to three Hundred Twenty Eight pounds Seaventeen Shillings & three pence the said Berrisford is to Allow as So much Cash recd in part of y^e afore-said Ballance & is hereby impowered to Charge the Same the Remainder of the ballance which is Eight Hundred fifty three pounds Eight Shilling & Eleaven pence half penny he the former receiv^r is to pay to Said Berrisford in notes under the Severall persons hands that is Yet Indebted to the Publick on Account of duty & in old bills of Creditt & whereas the said former Receiv^r: has Receiv'd the sum of Thirty two pounds Nine Shillings & ten pence According to the Creditt Side of the said Accot^t: he is hereby ordered to deliver the same to the said Berrisford now Receiver above the forementioned Ballance all w^{ch}: being Accomplished & Testified by Receipt under s^d: Berrisford's Hand the said Smith is Hereby Declared to be fully discharged from the Publick.

That M^r: Speak^r: Signe the Same.

The House Adjourned till Wensday Eight a Clock.

Wednesday the 19th: Novembr: 1707

The House mett According to Adjournment

The House Adjourn'd till two a Clock in the afternoone

The House mett according to Adjournm^t:

The House Adjourn'd till nine a Clock to Morrow Morning—

Thursday the 20th of November 1707/

The House Mett according to Adjournment Motion being made that those Members that are Absent be sent for & that they attend the Service of this House.

Ordered

That the Messenger attending this House Sent for those Members that are absent & that they Attend the Service of the same. The House being informed that M^r: Ball attended below According to Order.

Ordered

That he be sent for up who Appearing & being Examin'd inform'd the House.

That on the 22^d of Octobr^r: Last the Shuttrees Informed him that ab^t: 130 Indians fell on Some of them Calling themselves Savannahs & Sen'atuees being Gun men wth: Bows & Arrows on their backs pointed with brass & Iron, And has Carried away 45. Women & Children most Children & that a man of the Soraws run a way from them inform'd him that those Indians Trade with the white Men at their own Homes & that they Live but 30 days Journey from us.

Ordered

That M^r: John Stroud & M^r: Rob^t: ffenwick Waite on the Govern^r: & Councill & know of them w^t: Heads of the bill relating to goeing agst: Mobile they would Conferr upon. Who being returned brought a proposall of M^r: Hinchmans Concerning Mobile by w^{ch}: the Govern^r: Told them the House will know better how to Conferr with them & that M^r: Hichman may have Some reward for his paines.

Ordered

That the said proposall be Read which was done Accordingly

Ordered

That William Smith Esq^r: & M^r: John Abraham Motte wait on the Govern^r: & Council & Informe them this House is Ready to Conferr with them & know w^t time/. who being Returned Inform'd the House that the Govern^r: would Send an Answer A Message from the Govern^r: & Council by Cap^t: Evans who Inform'd the House y^t: y^e Govern^r: & Council appoints the Conferrance to be at Cap^t: John Collins at Two a Clock The House Adjourn'd till two a Clock in the afternoon.

The House mett According to Adjourn^{mt}.

M^r: Speak^r: & the House went to the Conference & being Returned M^r: Speak^r: Informed the House that the Govern^r: & Council is of Opinion that Cap^t: Nairn may be sent to know if he is willing to go himself agst: Mobile & what Indian Traders will be willing to go Under his Command & to propose w^t ways & means he thinks best & that in the mean time make peace with the Chauctaus & Yawsaus with all Convenient Speed and give Informac'on thereof to the Agent w^{ch}: proposalls The House Resolves to take into Consideration—

Ordered

That a Committee be Appointed to draw up a Letter to be Sent to the Agent According to the above propoalls & that Mr: Henwick Mr: Stroud & Mr: James Cockran be a Committee Accordingly & bring in the Same to Morrow in the afternoon. The House being Informed that Mr: Weekley Attended below was Sent for up & being Examined Inform'd the House that he was Informed by one Cap^t: Hainne of Maryland that ab^t: the 2^d of Augst: Last past ab^t: 40 Savannah that deserted this Government had found Some of others of their Nation that had formerly deserted themselves & had Seated themselves with them being ab^t: 40 Miles from Potapsco River were is a ferry

The Committee to Whome it was refferr'd to bring in a bill to Limitt the bounds of the Yamasees & to prevent people Ruming out Land amongst them According to order brought in the Same which was read the first time & past with Amendm^s:

The Committee to whome the Addition Bill to the Indians Tradeing Act was Reffeir'd for amendm^{ts}: brought in the Same w^{ch}: was read the first time & past wth: Amendm^{ts}.

The House Adjourned till to Morrow morning Eight a Clock—

Ffryday November 21st: 1707.

The House mett According to Adjournment.

Upon Reading the Informac'on of Mr: Ball & Mr Weekley relateing to the Northward & the Question being put whether an Agent Shall be Appointed & have one Hundred & Twenty pounds ꝑ Annum.

Carried in the Affirmitive

The Additionall Bill to an Act for appointing Lookouts

Was Read the second time & past with amendments.

An Additionall Bill for the better observation of the Lords Day was Read the Second time & past with a Mendments

Ordered

That Mr: Berrisford & Mr: Gibbons Carry the forthgoeing Bill to the Govern^r: & Council.

Upon Reading the Clause relateing to Cap^t: Walker haveing Thirty pounds for finishing the flortifications

Ordered

That Cap^t: Walker have an order for Thirty pounds on y^e publick for officiateing as Commisso^r: & that M^r: Patrick Martin have an order for fifteen pounds for officiating as Comptrol^r:
The House Adjourned till two a Clock in the afternoon/.
The House Mett according to Adjournm^t:

A Message from the Govern^r: & Councill by Cap^{taine} George Evans. with three Bills/.

Viz^t:

A Bill to Settle the Limitts of the Yamasees Settlement

Read the first time and past with a Mendments.

An Additional Bill to an Act Entituled an Act for Appointing Lookouts.

Read the second time & past wth: amendments.

Additional [four words broken out] Act for the better Observation of the Lords Day.

Read [word broken out] Second time & past with a Mendments.

Coll: George Logan Esq^r: Late publick Receiver moveing to the House that he Haveing paid Cap^t: George Smith Late Publick Receiver £495:6:7 being the Ballance of his Account Due to the publick as by the Report of the Committee of Said Accounts has Appeared & agreed unto by the House & Cap^t: George Smith haveing Given the publick Creditt answer the Same Sum in his Accounts.

Resolv'd

That the Same be a Sufficient & full discharge to the s^d George Logan of his publick Acc^{ts} as his being Publick Receiver/.

Ordered

That Coll: George Logan have a Coppy hereof & that M^r: Speak^r: Signe the Same.

Ordered

That M^r: William Gibbons M^r: Grange & M^r: Cochran be a Committee to Examine the Acc^{ts}: of Sundry p^rsons to whom the publick is Indebted unto & Report their opinion thereof to this House to Morrow Morning.

The House Adjourn'd till to Morrow Morning Eight a Clock.

Saturday November 22 1707.

The House mett According to Adjournm^t:

Ordered

That Mr: John Stroud & Mr: Berrisford waite on the Govern^r. & Council & Desire that they would appoint Some Members of their House to mett Some of their House in a Conference in Relac'on to Some amendm^{ts}: in the Bill for the more Speedy Comencem^t: of Suits in Law/.

The Committe to whome it was referr'd to prepare & Draw vp Letters to the Agent of the Indian Trade According to order brought in the same which was Read & agreed to by the House
Capt: Thomas Nairne

The Gener^{ll}: Assembly haveing taken into their Serious Consideration that weighty affair of removing the ffrench from Mobile are of apinion that the first step towards itt will be by Gaining over to our ffriendship & alliance the Chactaw & Yaushau Indians in order to which they have sent vp by Capt: Tho: Welch a present of Goods to the Value of as^t p^r: Invoice herein enclosed to be Disposed & Distributed in Such method and manner, as you both Shall think best & agree Upon, in proceeding upon which affair wee hope You will take all the prudent Methods to Effect as the weighty Nature of the Same requires and do not Doubt Yo^r: Success (under God) in Accomplishing & bringing the Same to a good Issue & Councelusion Upon the Effecting of which y^e Generall assembly is of opinion the takeing of Mobile will be the more feazible & that those New ffriends joyned with our our Creek Indians to be Encouraged & Lead on by what Indian Traders will be willing thereto (upon Such encouragement as the Gener^{ll}: assembly Shall Give) to be under Comission of Capt: Jones & Capt: Welch, and they to be Commanded by you in Cheif for to fall on the said ffront by way of Surprize or otherwise to Cutt of those Indians that Shall then be in alliance with the ffrench by which Means they will be Reduced to that extremity as either to oblidge the ffrench to Surrender or Desert the place w^{ch}: Howsoever the Generall assembly have not agreed upon till they Shall have further Advice from you wheither that will be the properest Method, or by w^t: other way & means You

¹A blank space was left for the figures, but it was never filled in.

think best to effect & Accomplish the Same w^{ch}: they would have You Advise with all Speed & expedition & wheither (if the Generall Assembly Should pitch upon a Method of reducing Mobile by a force You'd be willing to Accept of the Com^{and} in Cheife of the forces Haveing that Good Opinion of You to Prefer You to any other/

Nathan^l Johnson Tho: Smith Spekr

Cap^t: Thomas Nairne/

Your two Letters Directed to the board of Comission^{rs}: for managing the Indian Trade of Date September the 14th: & 17th: 1707 Coming to Hand when the Assembly was Sitting was opened before the House & upon reading the Same the House Generally Approved of the Method You Advise You had made use of among the White Men & Indians for their Information Concerning the the alteration made by the foregoing Sessions of Assembly in Relation to the Managem^t: of the Indian Trade & are fully of opinion with You that nothing Can be more Expedient for the future Security of this province then procureing the Indians now in Alliance wth: the french att Mobile or else Where near the Same to Enter into a firm Alliance wth. the English: Yo^r: proposall to have goods Sent You to that purpose. is also So well approved of by the House That they are not only willing to send You to the Value of 100£ w^{ch}: is all You write for but think it Very proper to Exceed y^t Value as You will See by Invoice Am^t: to £245:1:3.

Wee think fitt to Acquaint You that Tho: Welch has been before the House together with the Chickesaw Gener^l: w^{ch}: Latter the House has. thought fitt to p^{re}sent wth: a Good Suitt of Cloaths a Gun pistoll & Cutlas &c and ordered him Courtecous Entertainment durement his Stay here The Information wee have rece^d from Tho: Welch relateing to an Alliance wth: the Chactaw & Yaushaw Indians is agreeable to what wee have from You w^{ch}: Gives us Reason to believe he may by Yo^r: Directions & prudence in Adviseing him be verry Usefull in Contracting a firme friendship with the Indians aforesaid in order to Remove the french from Mobile and advise That all Caution Imaginable may be Used to prevent any Misunderstanding between You for Wee think he may be Very Usefull & Serviceable in Carrying on this affair & Have Given him Encouragem^t:

on his Succeeding Wee believe Tho a ffriendship Should be Contracted wth: the said Indians itt will not be Lasting unless it Can be done wth: the Consent of the Creek & Talabushees Indians & a Correspondence by Sufficient Traffick with them.

Wee have taken notice of Yo^r: Comitting Jeames Child to Prison & beleiving the Information You have recd Concerning his behaviou among the Indians to be in a Great Measure (if not altogether true) Wee have there upon Addressed the Govern^r: That he be Comitted a Close prisoner according to the nature of the Crime he is Charged with justly requires, but the Govern^r: in his Answer to us Seems to Doubt Least there be not Sufficient Evidence against him So that as Yett he is indulg'd wth: a Great deal of Liberty, This has occasioned Some Debate between the Two Houses the finall decission of which must Depend on the further Information You Can Give us w^{ch}: wee Desire you would Doe Carefully & Speedily.

The House has had before them three Chereekey's whose Informac'on is no ways to Childs prejudice but wee beleive they had their Lesson aforesaid

Sheeld & Weaver has been also under Examination the former (after Sometime) has Acknowledged that Child has been Guilty of Sever^{al}: Crimes. but Weaver Seem'd resolv'd to Vindicate him So that nothing Can be geathered from him to Child's Prejudice wherefore Wee are not without Suspicion they were associates in Some Irregularities. Wee are further to acquaint you that the Govern^r: Layes Claim to the Thousand of skins you Write You have Secured att the Chereekeys Alleadging they were Collected for his Use before the Act took place therefore Expect You'll Carefully Informe Yo^r: Self in this Matter & Advise thereof the Comission^{rs}: of the Indian Trade as Scon as possible That the proper owner may take possession of the same.

Ordered

That M^r: Stroud Carry the Said Letters to the Govern^r: & Councill for their Concurrence.

The House Adjourned till Monday Morning Eight a Clock.

Munday November 24th: 1707/

The House Mett According to Adjournment The House Adjourn'd till three a Clock in the Afternoone

The House mett According to Adjournment The House Adjourned till to Morrow Morning Eight a Clock.

Tuesday November 25th 1707/

The House mett According to Adjournm^t:

Ordered

That all Members that are absent Immediately attend the Service of this House & that the Messenger Serve Each absenting Member with a Coppy of this order & that M^r: Speak^r: Signe the Same.

The House Adjourned till two a Clock in y^e afternoone The House mett according to Adjournm^t: An Additionall Bill to an Act for Repairing the fortifications &c was read the first time & past with amendmst:

Ordered.

That M^r: Ffenwick M^r: Berisford Carry the above Bill to the Govern^r: & Councill.

A Message from the Govern^r: & Council by Cap^t: Evans with the Letter to be sent to the agent which they agreed to and three petitions

Hereof is Coppy of the Letters¹

A Bill to Settle the Limitts of the Yamasee Settlement was Read the Second time & past with a Mendments

Resolved

That the House will Immediately Resolve themselves into a Committee of the whole House to Examine into the Acc^{ts}: that the publick is indebted.

The House Resolv'd themselves into a Committee of the whole House & William Smith Esq^r: being Chosen Chairman M^r: Speak^r: Left the Chair. the House being Informed that there was a Message from the Govern^r: & Councill M^r: Speak^r: Re-assumed the Chair

A Message from the Govern^r: & Councill by Cap^t: Evans wth: two Bills

Addition Bill to an Act for Repairing the ffortification.

Read the first time & past with amendments

an Additionall Clause

Who also informed the House that the Govern^r: & Council would mett this House in a Conference of the whole House to

¹But no copy of the letters follows.

Debate upon the Bills to morrow at the House of Cap^t: John Collins at Eleven a Clock.

And then the House resolv'd themselves again into a Committee of the whole House & after some time Spent therein M^r: Chairman Left the Chair & M^r: Speak^r: Reasum'd the Same.

The Chairman of the Grand Committee Reported that they had almost finished the said Acc^{ts}: & praid Leave to Sitt again to Morrow.,

Ordered

That the said Chair man have Leave to Sitt again to Morrow:

The House Adjourned till to Morrow Morning Nine a Clock

Wensday November the 26th: 1707

The House mett According to Adjournment.

An Additional Bill to an Act for Repairing the ffortifications was Read the Second time & past with amendm^{ts}:

Ordered

That M^r: Gibbons & M^r: Cochran Carry the above Bill to the Govern^r: & Councill for a second Reading & a Bill for the Settlem^t: of the Yamasee Indians./ And know if their Hono^{rs}: are ready to mett this House in a Conference in Relac'on to the Amendm^{ts}: of two Bills, & being Return'd Inform'd the House that the Govern^r: & Councill was Ready

M^r: Speak^r: & the House went Accordingly & being return'd M^r: Speak^r: Adjourn'd the House till two a Clock in the afternoon

The House mett According to Adjournment

The House According to order Resolv'd themselves into a Committee of the whole House to finish the Acc^{ts}: and M^r: Speak^r: Left the Chair and after Some time Spent therein M^r: Speak^r: resum^d: the Chair.

The Chairman of the Grand Committee made the ffollowing Reports Viz^t:—

M^r: Patrick Scott Note for Negro Hire —, —, —, —, £6,,5,,
M^r: Welches Expences for waiting upon the Assembly

Due to Cap^t: Collins —, —, —, —, —, —, £10—,—,

Mr: W ^m : Harvey for beef & bread for the Yamasee Indians	£1—6—7½
Mr: Thomas Bower for Watchman —.. —.. —.. —	£6—6—8
Mr: Roger Newington for one Hanger prest by Cap ^t : Canty w ^{ch} : wee See Cap ^t : W ^m : Cantey & acknowlege y ^e Same	£1—..—.,
Mr: Perriman for Victualls & Drink for Captaine Hearns Company in the Allarm —.. —.. —.. —..	£2—..—.,
Major Parris for one Cutlash given Henry Walker for one taken from y ^e said Walker in y ^e time of the Invasion	£1—..—.,
	<hr/>
	£27—18—3½
	<hr/>

W ^m : Hurlock for 4 days work in puting up Benches. at the Half Moon —.. —.. —.. —.. —.. —.. —	£1—..—.,
Mr: John Gailliard for 36 Days of Negros 18¾ ^d p ^r day	£2—16—3
James Garear for opening Great Gunns —.. —.. —.. —	£7—..8:9
	<hr/>
	£39—..3—3½

Mr: William Harvey for bakeing of Bread & Bead & Cheese for Severall Companies in the Allarm —.. —..	£5—..—.,
Mr: Jeans Ingerson for his Negro Druming 3 Month	£3—..—.,
Cap ^t : Witmarsh for provisions for his own and Combohee Company in the Invasion—.. —.. —.. —	£1—..5—..7½
Jeames Peartree for 30 days Hire of his flatt —.. —	£7—10—..
Jacob Sater for Examineing Coll Rhetts books —.. —..	£20—..—.,
Richard Nixon for 3 Hoes —.. —.. —.. —..	£—..12—6
Stephen Taverone for Tubbs & bucketts —.. —.. —	£13—15—..
Mr ^{rs} : Bissett for a Months dyetting two ffrenchmen —..	£2—..—.,
Mr ^{rs} Bissett for Negro Hire —.. —.. —.. —.. —..	£1—7—6
Mr ^{rs} Buckley on Acc ^t : of y ^e Invasion—..	£8—..—6
D ^o : on Account of the poore —.. —..	£3—4—7½
D ^o : for Sundrys in the Alarm —.. —..	£7—6—.,
D ^o : for Margaret Davis —.. —.. —	£5—..—.,
Derrick Vanderburg on Acc ^t . of the Sloop flying Horse —	£43—17—.,
Coll: Geo: Logan for boarding a ffrench prisoner—..	£2—5—.,

£23:11:1½

Capt: Medlicott & Comp ^a : for Damages of provisions Shipt on board the Cole & Bean	£46—, —	}	£50—, —,
D ^o : for his trouble four pounds—, —, —, —			
Doct ^r : Crook for the Cure of two of Capt: Stooles Men	£14—, —,		
John Simons his acct: of work for Servt: —, —,	£4—, 5—6 ³ / ₄		
John Wilden —, —, —, —, —, —	£20—, —,		
The Lookouts for takeing the Runaways —, —,	£5—, —,		
Nicholas Longlamare —, —, —, —, —	£12—, —,		
Alexander Mackie —, —, —, —, —	£2—, —,		
Mr: John Stanyarne —, —, —, —, —	£6—, 5—,		
Mr Patrick Martine —, —, —, —, —	£15—, 5—,		
Capt: Thomas Walker —, —, —, —, —	£30—, —,		
Lawrence Richardson —, —, —, —, —	£3—, —,		
Resolv'd			

That the House agree with the Committee in the Said Accounts

An Additionall Bill to an Act for the better observation of the Lords Day; being Read Twice & being put to the Vote whether the Said Bill Should be Ingrossed/

Carried in the Negative

A Bill for the more Speedy Commencem^{ts}: of Suits in Law being Read twice & the Questions being put whether the said Bill shall be Ingrossed.

Carried in the Negative.

An Additional Bill for the Lookouts.

Ordered to be Ingross'd—

Ordered/

That M^r: Gibbon William Smith & Rich^d: Berrisford Esq^r: be a Committee to Examine into Coll: Rhett's Acc^{ts}: & report the Same to this House.

A Messuage from the Govern^r: & Council by Capt: Evans who Informed the House that the Govern^r: & Councill Desired a Conference of the Whole House Concerning the Additionall Bill for Regulateing the Indian Trade And also that w^{ch}: Allow'd more towards the ffortifications is not Sufficient & that the Conference may be at the House of Capt: Collins about Ten & Eleven to Morrow Morning.

The House Adjourn'd till to Morrow Morning Eight a Clock.

Thursday November 27th: 1707/

The House mett According to Adjournm^t: Mr: Speak^r: went to the Conference & being Returnd.

The House Adjourn'd till two a Clock in the Afternoon

The House mett According to Adjournment

A Messuage from the Govern^r: & Councill by Cap^t: Evans with two Bills Viz^t.

An Additional Bill to an Act for finishing & Repairing the fortifications w^{ch}: was Read the Second time & past with a Mendm^{ts}:/.

The House Adjourn'd till to Morrow Morning Eight a Clock.

Ffryday November the 28th 1707/

The House Mett According to Adjournment.

An Additionall Bill to an Act for Repairing the fortifications &c was Read a third time & past into a Law./.

An Additionall Bill to the Lookout was Read the third time & past into a Law./.

Ordered

That¹

Carry the following Message to the Govern^r: & Councill Viz^t
Wee Received by Cap^t: Evans Yo^r: Last Nights Message by w^{ch}: wee Understand that Yo^r: Hono^{rs}: wants to know what is become of the two Acts that we had a Conference about/.
ffirst wee had So little Satisfaction in the Conference that wee rejected the Said two Bills as wee Suppose Yo^r: Hono^{rs}: are not ignorant of.

2^{dly}: Yo^r Hon^{rs}: also required an Answer about the Bermuda powder as Soon as we are Satisfied it was us'd for the publick we Shall Concurr In the passing of the Same.

3^{dly}: as for the 6 Men & Cap^t: we Shall draw vp an Ordinance Accordingly also a Barrell of powder & Shott proportionable a p^rsent for the Northern Indians

Tho: Smith Speak^r:

An Additionall Bill to an Act Entituled an Act for the making & mending of Roads &c Was Read the third time & past into a Law.

¹A blank line was left for the names of the two members who took the message to the Governor and Council, but it was never filled in with their names.

The House Adjourn'd till two a Clock in the afternoon.

The House Mett According to Adjournment

Ordered

That Cap^t: Walkers Acc^{ts}: of the flortifications being Adjusted be Sign'd by the Speaker upon Motion.

Ordered

That M^r: Motte & M^r: ffenwick writte a Letter to the Agent Cap^t: Heirne¹ Concerning Some informac'on this House receiv'd of his Degradeing Expressions on the Govern^r: w^{ch}: was done accordingly/.

Wee Reffer you to what we have write you but few days agoe Relateing to the Affairs of the Country for Yo^r: Conduct in all Matters needful—

Herewith we Send you Coppies of part of two Lett^{rs}: writt to Coll: Broughton of Yo^r: Degrading & Reflecting &c on our Govern^r: Wee Have desired the Names of those persons that have writt so to Coll: Broughton but Could not obtaine them wee Acquaint You of this that You may prepare Yo^r: Self with the needfull Evidences if you are Sent for to Clear Yo^r: Self of this Accusation/

Tho: Smith Speak^r:

Ordered

That M^r: Speak^r: Sign this Letter

6 Coppys of Lett^{rs}: Concerning Cap^t: Nairne

S^r

November the 11th: 1707.

This Comes to enform You Some of the manners & Methods of the proceedings of the Agent here at my Comeing to this place being Credibly informed off I thought fitt to acquaint You therewith at his Comeing here he Called all the White men Together & made a Speech by an Interpreter to the Indians & in his Speech he Degraded His Hon^r: the Govern^r: by telling Indians y^t the Govern^r: had nothing to do with them now & that he was the only man & y^t y^e Govern^r: was a foolish old man & did know Nothing Hereing this Charect^r: & the respect Which I shall always bear to his Hon^r: y^e Govern^r: I thought fitt to Acquaint you therewith.

The Agent Staying here Some Considerable time at M^r: Stevens House sent to the Cherikies for James Child & other Traders to Come down & in Gratuity for his civill Entertainm^t: he hath

¹Nairne.

Left Mr: Stevens his Deputy here & hath admitted one Henry Carpenter being Stevens Trader to Trad here without a Licence & he doth buy more or Less every day I suppose You are well Satisfied y^t: the acct: the Assembly excepts not one & that the Agent is Sworn not to use partiality & that for favour nor affection he not to Do any thing Contrary to the Intent & Meaning of the act at the same time he threatens Charles Nickals to send him to Goal is that he dont take out License he does not Trade but only Lives here to Receive Skins from his Mates Charles Nickals is Come Down if You enquire of him he will Informe you more at Large. The Agent further Sayes that all the Indian Slaves which hath been taken Since this Queen Reign he will Sett free, by w^{ch}: Suppose y^t if a peace be made wth: the Chocktaws all that have been Taken of them will be sett free.

November the 23^d 1707

In another Letter it is Said I am Sorry Cap^t: Nearne Should abuse the Govern^r: as he hath done.

A Message from the Govern^r: & Councill by Cap^t: Evans wth. an Additionall Bill to an Act Intituled an Act for makeing & Mending of Roads Read the Third time & past into a Law
Ordered

That M^r Gibbons & M^r: Grange Carry the Bill for the Settlem^t: of the Yamasees which was Read a Third time & past into a Law/
Resolv'd

That when the House goes to have the Acts Ratified that there be a Quorum of Deputies without M^r: Trott other ways the House to withdraw/
Ordered

That Cap^t: Tho: Walker Powder receiv^r: Do Deliver unto the Right Hon^{ble}: the Govern^r: or order Eight Barrells of powder & the Great Shott to be Returned to the Govern^r: of Bermudas So much being borrowed of him for the Use of this Govern^t: & that this Order be Sent to the Govern^r: & Councill for their Concurrence

Tho: Smith Speak^r.

Assented to in the Upper House./

Natha^l: Johnson.

The House was Prorogued till the first Wensday in March/

By order of a proclamation published in Charles Town bearing Date the first day of february Anno Domid 1707 Requireing the Members of the Gen^l: Assembly to meet on fryday the Sixth Instant.

The following Members Mett Accordingly

Viz:

- 1 Landgr: Tho: Smith Esq^r: Speaker
- 2 Coll: Geo: Logan
- 3 Mr: Richard Berrisford
- 4 Mr: John Abra: Mott
- 5 William Smith Esq^r:
- 6 Cap^t: Jonathan Drake
- 7 Mr: Geo: Checkin
- 8 Mr: Jo^r Raven
- 9 Mr: William Elliott
- 10 Mr: John Stanyarne
- 11 Mr William Gibbon.

Mr: Speak^r: by Consent of the House Adjourn'd the House till to Morrow Morning Eleven a Clock

Saturdy february 7th: 1707/8.

The House mett according to Adjournment

The House Adjourn'd till four in the afternoon

The House Mett According to Adjournm^t:

The House Adjourn'd till Eight a Clock Munday Morn[']:

Munday february the 9th: 1707/8.

The House mett according to Adjournment

Ordered

That William Smith Esq^r: & Mr: Rob^t: fenwick Wait on the Govern^r: & inform him that this House is mett according to his Hon^{rs}: proclamation.

A Message from the Govern^r: & Councill by Cap^t: Evans that this House Attend him Immediatly

Mr: Speak^r: & the House went Accordingly & being return'd Mr: Speake Inform'd the House that the Govern^r: made a Speech to him Viz^t:

Gentlemen.

I need not be Large to Give You reasons why I Called You Suddainly & before the pro'gation.

Yo^r: Com^{rs}: for the Indian Trade informed me that the Exigency of those Affairs required it otherwise, I had not Given You the Trouble of Leaveing Yo^r: private Concerns at this time But You Very well know that be the Necessity never So Great or Dangerous neither my Selfe or the Commission^{rs}: Can Draw any Money out of the Treasury for publick Service

I dont Observe this to You Gentlemen as Thô I would insinuate or Desire to have any Such power or Trust for that would but Impose a Greater burthen on my Shoulders & perhaps to Expose to Censure (for Experience has instructed that the good or bad Management of Human Affairs is Ditermined by Success) but that the Distributive power of Money may be placed in Such Hands where Yo^r: Jeliousses may give You more Assurance then in my Owne for I am No wais fond of being Accountable for publick Money & So Little Gratified I have found for past Services, that I am not Desireous to run any Hazards of that kind for the future Except in the way of y^t Duty I owe to my publick Station & there both my Life & Intrest Shall be freely Expos'd

To Yo^r: Commission^{rs}: I reffer you for the Speciall Occasion of this Meeting from whose Acco^t: if You Collect a Necessity of Sending forces to Reduce or Distroy those Indians or others who are Reported to Insult our Settlements I am Ready not only to Stamp Yo^r: Resolves wth my Authority, but even (if you Desire it & think the Danger So Great & imminent) to Go in person & Venture my Life in the Service & as the nature of this Affair requires hasts & Expedition So I will Detaine You no Longer from Goeing to Gether to Consult what is Necessary to be done at this time Only Gentlemen I must Observe to You that I did Expect from w^t I said the Last Sessions You would have done me Justice by Expunging out of Yo^r: Journall that precipitated Vote wherein You Censure Yo^r: Govern^r: without Hearing w^t: he Could Say himselfe, which as it was Denying him Com'on Justice that not any of you, but would think hard in his owne Case, So I did Expect that Yo^r: Cooler reflections on it, would have been more Just & therefore

now Desire it may be Done & that I may No Longer have Oc-
 casion to Complaine/

Nathal^l: Johnson

The House Adjourn'd till two a Clock in y^e afternoon

The House Mett According to Adjournment

The Question was put whether the following Message be sent
 to the Govern^r: & Councill.

Carried in the Affirmative.

May it please Yo^r: Hon^{rs}:/

Wee take notice in the Proclamation
 for our Sudden Meeting M^r: Trott Signs as a Deputy wth:out
 whome there was no Quorum, as Such we never did nor Cannot
 See any reason now to allow unless he has a Deputation w^{ch}:
 we know not of & w^{ch}: we pray Yo^r: Hon^r: to Satisfy us therein
 otherwise that your Hon^{rs}: would be pleased to Issue out a
 New proclamation to Call the Assembly to meet if possible this
 afternoon That all Disputes & Difference of the Authority of our
 Proceedings may be prevented for the future.

Tho: Smith Spek^r:

Ordered

That Richard Berrisford Esq^r: & M^r: John Raven Carry the
 above Address to the Govern^r: & Councill

A Message from the Govern^r & Council by Cap^t Evans as
 followeth Viz^t:

Gentlemen—/

Thô wee Never Yet were of Opinion y^t a House of
 Com^{ons} had the Least pretentions to a power of Enquireing
 into the Qualifications of any of the Lords pp^s: Representatives
 Yet for peace Sake & y^t y^e publick Buisness of the Country might
 not be Retarded we Gave You not Long Since (as we thought)
 Gen^l: Satisfaction as to M^r: Trott in particular and even You
 Yo^r: Selves totally Acknowledged him as Such by Meeting him
 wth: others of the Deputies at Severall Conferences & Entering
 into Debates with him & therefore wee were in hopes no more
 to be obstructed by Such frivelous Objections & Least of all at
 this Junecture wⁿ: y^e peace & Saftey of the province Lies at Stake.

Therefore Gentlemen be Advised without any more Delay
 to Apply Your Selves to the Buisness you were Sent for, &
 Leave the Legality of M^r: Trotts Deputation (being an Affair

that does not Lye before you) to us who only are Accountable to the Lordships for his Admission for it is the positive Resolution of this House not to Issue You forth any other proclamation or Do any other Act that may look Like Disowning Mr: Trotts power as a Deputy/

Natha^{ll}: Johnson

May it please Yo^r: Hon^{rs}:

Wee Cannot be of opinion nor Assent to w^t Yo^r: Hon^{rs}: are pleased to assert in Yo^r: Yesterdays answer That the House of Com^{ons} has Nothing to do to Enquire into y^e Legallity of the Lords propri^{rs}: Representatives If so then every Govern^r: may Impose upon them and the whole Country to great Detrim^{ts}: & Damage (itt may be the ruin thereof.

But at this time (for peace Sake & because the Imergencye for what wee are Called at this Juncture requires a Speedy Dispatch of affaires) Soe will wave the Debate for the future—

Wee are then ready Ananemously to Joyn wth: Yo^r: Hon^{rs}: in Consulting the best & Speediest Methods to be Taken to Stop the Barbarous Insults & Incursions of our Savage Enemies the Indians. And therefore Humbly request a Conference of our whole House wth: Yo^r: Hon^{rs}: to Conferr a about y^e Same w^{ch}: wee pray Yo^r: Hon^{rs}: May be as Soon as possible

The House Adjourn'd till to Morrow Morning Eight a Clock

Tuesday february 10th: 1707/8

The House Mett According to Adjournment

A Message from the Govern^r: & Councill by Cap^t: Evans in Answer to the Message from this house that they will Meet this House in a Conference of the Whole House at Cap^t: Collins.

The House being Returned from the Conference Mr: Speak^r by Consent Adjourn'd the House till two a Clock in the Afternoon

The House mett According to Adjournm^t:

Mr: Speak^r Informed the House that the Govern^r: in the Conference Gave him Scheame which he Laid before the House

Vpon Debateing the Same Ordered that Mr: John Stroud prepare a Message to be sent to the Gov^r: & Councill in relac'on to the said Scheam

Mr: John Stroud According to Order brought in the following Messuage w^{ch}: he read in his place & was agreed to by the House & is as followeth Viz^t:

May it please Yo^r: Hon^{rs}:

Wee have Considered the Buissness of this Days Conference wth: Yo^r: Hon^{rs} & Comes to this Resolution That Twelve Men to be Raised will be Sufficient wth a Cap^t: & Liev^t: to go against the Savana Indians o^r: Enemies & their Adherents & that each Soldier or Trooper Shall be allowed Seven Shillings & Six pence ¶ Diem Each Cap^t: & Liev^t: Twelve Shillings & Six pence ¶ Diem with all the plunder taken by them they finding themselves Necessarys, & we Humbly request Yo^r: Hon^{rs}: to take Such Speedy methods for the Raiseing that Number of Men as the Exigency of the Affair requires

Wee Cannot find by any Law that Moneys can be Drawn out of the Treasury to Defray the Charge of this Expedition without an Act therefore we shall Speedily prepare a Bill in Order for the same.

Wee also are of the Opinion that fifty Guns a Thousand flints 200^{tw} of powder 400^{tw} of Bulletts will be Sufficient to Send to the Northward Indians in order to Attack the Said Indians our Enemies and that the Commander in Cheif have orders to Deliver the Same proportionable to Each Cheif or Great Man among them to be Distributd among the other Indians wth: this Incouragement that whoever brings in a Scalp or prisio^r: Shall have the Gun for their Reward or else to Returne the Same Againe when the Expedition is over to the Command^r: in Cheif & by him to be Disposed of for the Countrys Advantage who Shall be Accountable to the Generall Assembly for the Same and what else Yo^r: Hon^{rs}: Shall Deeme necessary wee Shall readily Concurr.

Tho: Smith Speak^r:

Ordered

That Mr: Jo^h: Ab- Motte & Mr: George Checkin Carry The above Message to the Govern^r: & Councill./

Ordered

That a Committee be Appointed to bring in a Bill for Raising a force to go against the Revolted Indians our Enemies & for Defraying the Charges of the same and that Mr: John Stroud Mr: Rob^t: fenwick Mr: Richard Berrisford Mr: William Gibbon & Mr: Jn^o: Raven be a Committee Accordingly & bring in the same to Morrow Morning

Ordered

That Cap^t: James Moore & Mr: Hugh Grange attend the Service of this House on Thursday next & that the Messenger of this House Acquaint them of this order & that Mr: Speaker Sign the Same

The House Adjourn'd till to Morrow Morning Nine a Clock.

Wednesday february 11th: 1707/8

The House Mett According to Adjournment

Ordered

That the Public receiver & Comptro^r: Lay before this House their Accounts

Vpon Debateing the matter how Money may be Raised for Defraying the Charge of Goeing Agst: the Indians our Enemies. It was Resolv'd that the Govern^r: & Councill be acquainted wth: the opinion of this House viz^t:

Many Complaints from the people in Town & Country for want of more Small Bills we are willing to make 2000 of small Bills to Sink one Thousand of Great Bills & to keep the other Thousand pounds Sealed up to have Money if urgent occasions Should be Betwixt the Setting of the Houses & to pay the p^rsent Charges of the Expedition agst: our Enemie Indians

Ordered

That Mr: John Abr: Motte & Mr: Richard Berrisford goe & acquaint the Govern^r. & Councill thereof a Message from the Govern^r: & Councill by Cap^t: evans wth: two petitions wth: an Answer to the foregoing message Viz^t that they are of opinion that it would be better that the Impositions Should Continue Longer.

Ordered

That they Lie vpon the Table

The Committ to whome it was Referr'd to bring in a bill to Raise a force to go against the Indians &c prayd till to morrow to bring in the Same

That the said Committe have till thursday to bring in the Same.

The House Adjourn'd till Two a Clock in the Afternoon
The House Mett According to Adjournment
Ordered

That Mr: John Stroud waite Vpon the Govern^r: & Councill & Desire they would meet this House in a Conference of the whole House to Debate further Concerning the Indians

A Message from the Govern^r: & Councill by Cap^t: Geo: Evans that the Govern^r: & Councill will be ready to meet this House in a Conference at Cap^t: John Collins.

Mr: Speaker & the House went accordingly & being return'd Mr: Speaker Infored the House That they Came to this Conclusion that a 1000[£] be made in Bills for Contingent Charges & that¹ be made in Small Bills to Sink the Large ones.

Upon Debating the Raiseing of Money

The Question was put whither Dollars Shall be raised

Carried in the Affirmative—

The House Adjourn'd till two a Clock to morrow in y^e afternoon

Thursday february 12th: 1707/8.

The House Mett according to Adjournment

A Bill for the better Enableing the Right Hon^{ble}: the Govern^r: for the time being to raise a force &c was read the first time & past wth: amendm^{ts}

Ordered

That Mr: John Woodward Carry the above Bill to the Govern^r: & Councill

The House Adjourn'd till to Morrow Morning Nine a Clock

ffryday febr^{ry}: 13th: 1707/8

The House Mett According to Adjournm^t:

A Message from the Govern^r: & Councill by Cap^t: George Evans with the Bill for the Better Enabling the R^t: Hon^{ble}: the Govern^r: for the time being to Raise a force &c was Read the first time & past wth: wth: amendm^{ts}:

The above Bill was Read the Second time & past with amendments.

¹A blank space left to be filled in with a figure, but the figure was never inserted.

Ordered

That W^m: Smith Esq^r: & M^r Jones Carry the above bill to the Govern^r: & Councill for their Concurrence & Desire His Hon^r: would Send for Down Elias Thomas being a french prissio^r he being among the Northern Indians

Read Sundry petitions & ordered that be upon the Table

The House Adjourn'd till two a Clock in y^e Afternoon

The House Mett According to Adjournment

A Message from the Govern^r: & Councill by Capt: Geo: Evans with the Bill to Impower the Govern^r: to Raise a force &c was Read the Second time & past with Amendments

Ordered

That the above Bill be in Gross'd

Motion being made & the Question being put whether the Govern^r: Shall be Addrest to Issue out his Writts for to fill vp the Vacancy of those Members that are Dead & gone off/

Carried in the Negative.

Wee Assent to the Question & Dissent against those Members Voting Against the Govern^r: to Issue out his Writts for the Electing of Six Representatives more to fill vp the House So many being Dead & Gone off our Reasons are these that at the first meeting of the Assembly this Sessions for want of the full Complim^t. of Members a House Could not be made in less then three Days & the Buissiness of the House both this & the Last Sessions has been often Retarded by haveing a bear House which is a Very Great Hard Ship & oppression upon the Attending Members in keeping them at great Charge & Expences in Town & from their affairs by Attending Longer the Service of the House then otherwise they Might have Done if the Vacancy was filled vp & in all Likelyhood twill be the Same or worse by Death or Goeing off of others Members & many other Casualties that may Happen by w^{ch}: means a House not being made necessarily would follow a Dissolution w^{ch}: may prove of Dangerous Consequence at this present Juncture of Circumstances the Country lies und^r: besides the many & Dayly Murmuring & Complaints of the people whome wee Represent who dont Scrouply to say that wee are not their true representatives by reason of the Vacancy of those Members Dead & gone off being not Supplied

W^m: Gibbon/

J A Motte

Geo: Logan

Hugh Grange

Jn^o: Stroud

Geo: Checken.

William Smith.

The House Adjourn'd till to Morrow Morning Eight a Clock

Saturday febr^y: the 14th: 1707/8.

The House mett according to Adjournment

A Bill for the Better Enableing the Right Hon^{ble}: the Govern^r: to Raise a force &c was read the Third time & past into a Law. Motion being made that according to the Govern^r: Desire in Relac^on to Expungeing the Vote relateing to his Hon^{rs}: out of the form^r Journall.

Resolv'd that this House will proceed on the Same the next Sessions.

The House Adjourn'd till two a Clock in the afternoon

The House mett According to Adjournm^t:

A Message from the Govern^r: & Councill by Cap^t: Evans wth: a Bill for the better Enableing the R^t: Hon^{ble}: the Govern^r: to Raise a force &c which was read the third time & past into a Law/. who Likewise Informed the House that Coll^o: Rhett's acco^t: may be finished to avoid Refections

Resolv'd

That Coll^o Rhetts Acco^{ts}: be Examined at y^e first of y^e next Sessions

Ordered

That W^m: Smith Esq^r & M^r: Chickin waite on the Govern^r: & Councill wth: the following Message.

May it please Yo^r: Hon^{rs}:

In Answere to Yo^r: Hon^{rs}: Message by Cap^t: Evans Relateing to Coll^o: Rhetts petition wee have Enter'd upon no other affair then the Bill always Intending to make this a Short Sessions & therefore would have no other Affair of that Nature interferr therewith So that Coll^o: Rhett has no reason to Complaine of more Hardship done to him then Yo^r: Hon^{rs}: & others- However we have Resolv'd to go vpon that affaيرة at our next Meeting/

Tho: Smith speak^r:

A Message from the Govern^r: & Councill by Cap^t: Geo: Evans Viz^t:

Gentlemen.

Wee Just now rec'd a Message from Your House y^t you were Ready for Ratification but that you Desired there should be a Quorum of Deputies besides M^r: Trott Wee Cannot Imagine w^t You mean by insisting further on that Matter w^{ch}: is none of Yo^r: Buissness & Concerning w^{ch}: wee Gave You our possitive resolutions from which wee are Resolved not in the Least to Depart Surely you have not forgott that You are now Called to Gether by M^r: Trotts Hand to the proclamation & have hither to Sat by the Same & this day M^r: Trott made vp the Coram to pass yo^r: Bill into a Law & therefore if it were Ratified by all y^e other Deputies it would not be good by reason it was passed into a Law by him if he is no Deputy w^{ch}: wee are all Satisfied he is otherwise wee would not have Admitt'd him with us to have passed it into a Law.

Thô. a bear Quorum of the Deputies wth: y^e Govern^r: is all-wais good in the Ratifying any Act. Yet when more Members of Councill are present wee have never refues'd to have as many as wee Could to Ratify o^r Acts

But Coll^o: Broughton & Coll^o: Gibbes being out of Town & Coll^o: Risbee being Sick & not able to attend wee Can but make vp a Quorum wth: M^r: Trott, & therefore if you will not pass the Bill wth: him as one of the Quorum if any Evill Happen for want of it the Blame must Lay at Your Doors/

Natha^{ll}: Johnson

Ordered

The House went to Ratification

Being returned to the House againe without Ratification being Surprized by a paper Delivered to the Govern^r: in Relac'on to Some Members desent & vpon Debateing y^e Same

Ordered

That Richard Berrisford Esq^r: & M^r: Jonathan Drakes Carry y^e following Message Viz^t.

May it please Yo^r: Hon^{rs}:

Just now meeting Yo^r: Hon^{rs}:
for Ratification According to Yo^r: Last Message wee were Surprid wth: Yo^r: Hon^{rs} Desireing of a Conference Occasioned by the Delivery of the private opinions of Some of our Members upon which Yo^r: Hon^{rs} was pleased to Desire a Conference

Haveing further Considered upon the matter takeing no Notice of the occasion Do inform Yo^r: Hon^{rs} that wee are now waiting to know Yo^r: Hon^{rs}: Desires being willing to meet Your Hon^{rs}: at a Conference or Give You w^t other Satisfaction You may Desire in a Parliamentary manner before Ratification/

Tho: Smith Speak^r:

A Message from the Govern^r: & Councill by Cap^t: Geo: Evans Desireing a Conference of the whole House to meet them in relac'on to filling vp the Vacancy of the absenting Members.

The House went to the Conference & being return'd the Question was put whether vpon the Last Conference the House is of opinion that the Govern^r: be Addressed to Issue out his Writts for filling vp the Assembly

Carried in the Negative

The House went to the Govern^r: & Councill & Ratified the follow acts Viz¹

And then the Govern^r: prorogued the House till the 2^d: wensday in May./

¹The Acts were not entered, however.

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